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A
V I E W
OF THE
Conduct of the Executive
OF THE
United States.



W. H. I. Y.

W. H. I. Y. (repeated)

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V I E W
OF THE
Conduct of the Executive,
IN THE
FOREIGN AFFAIRS

OF THE
United States,
CONNECTED WITH THE MISSION TO THE
FRENCH REPUBLIC,
DURING THE YEARS 1794, 5, & 6.

By *James Monroe*

Late Minister Plenipotentiary to the said Republic

ILLUSTRATED BY HIS
Instructions and Correspondence
AND OTHER
AUTHENTIC DOCUMENTS.

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P H I L A D E L P H I A :

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M,DCCXCVII.



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THE Editor conceives it incumbent on him to inform the Public, that the Author of the following *View* is not concerned in the emoluments of the publication. The Editor holds the copy right as a free gift, and it is entirely at his expense and for his benefit that the work is published.

One paragraph in Mr. Monroe's Instructions and likewise a part of the Letters No. 32 and 39 (of the last only a few words) are, from motives of delicacy, omitted. The article of Instruction applies to the case of an individual, and the passages in those letters are likewise of a personal nature, unconnected with the merits of any general topic.

The absence of the Author has prevented his superintendance over the publication, and is the cause of a few errors, the most material of which are noted in the next page. His distance from this city, also, delayed the receipt of the following note, until it was too late to give it its proper place in the *View*. It is here subjoined.

Note. I did not mention the intimation about the Floridas to the administration, because I thought it a subject with which I had nothing to do, seeking only to open the Mississippi and settle the boundary, according to my instructions; and because, had the case been otherwise, that state of things was too transitory to admit any thing being done in it. I find however, afterwards, when the French government began to change its policy towards us, and were supposed to be treating for that territory with Spain, that in communicating what I heard of the depending negotiation, I mentioned also, its former disposition in that respect, as a proof of that change. See page 363.

E R R A T A.

IN THE V I E W.

Page

- 10 4th Line, after the word *administration* insert, *and with design*
to place the views of the administration.

IN THE D O C U M E N T S.

Page

- 7 The letter should bear date the 11th not 10th.
15 Line 14th, read *succeeded* for *succeed*.
19 The letter to the President of the Convention should be da-
ted the 14th.
24 In the 1st line of the Minister's Letter, read *representative* for
representatives.
41 Line 8th from bottom, add a *period* after the word *solid*.
42 Line 5th, after *observe* add *also*.
75 Line 8th from bottom, read *occluding* for *secluding*
80 Line 14th from bottom, read *possesses* for *possess*.
111 Line 8th, for *seemed* read *seem*.
119 Line 21st, for *dispositions* read *disposition*.
Ibid. Line 13th from bottom, for *avoided* read *dreaded*.
143 Line 18th, for *completed* read *concluded*.
273 Line 24th, for *constitution* read *election*.
274 Line 5th, for *hundred* read *thousand*.
276 Line 27th, after *declaration* add *in favor*.
277 Line 26th, for *whatever* read *what*.
296 Line 12th, for *conclude* read *presume*.
374 Line 19th, before the word *complain* insert *not*.
375 Line 4th, for *received* read *receive*.



A V I E W, &c.

IN the month of May, 1794, I was invited by the President of the United States, through the Secretary of State, to accept the office of Minister Plenipotentiary to the French republic. The proposition was plain and direct, announcing to me, for the first time, that the executive thought of me for that office; and certain it is, I did not solicit, desire or even think of it for myself. The secretary observed that Mr. Morris was to be recalled, and it being necessary to appoint a successor, the president had requested him to inform me, he should be glad I would take his place. I received the communication with a due degree of sensibility; but yet the proposal was so new and unexpected, that it was, from a variety of considerations, impossible for me to give an immediate answer to it. I requested some days to deliberate on the subject, which were granted.

I was at this time a member of the senate of the United States, for the State of Virginia, which station I had held for several years before. It had been too my fortune in the course of my service, to differ from the administration, upon many of our most important public measures. It is not necessary to specify here the several instances in which this variance in political sentiment took place between the administration and myself: I think proper however to notice two examples of it, since they serve essentially to illustrate the principles upon which that variance was founded, and the light in which I was known to the administration and my country before this proposal was made to me. The first took place when Mr. Morris was nominated minister plenipotentiary to the French republic; which nomination I opposed, because I was persuaded from Mr. Morris's known political character and principles, that his appointment, and especially at a period when the French nation was in a course of revolution, from an arbitrary to a

free government, would tend to discountenance the republican cause there and at home, and otherwise weaken, and greatly to our prejudice, the connection subsisting between the two countries. The second took place when Mr. Jay was nominated to Great Britain; which nomination too I opposed, because under all the well known circumstances of the moment, I was of opinion we could not adopt such a measure, consistently either with propriety, or any reasonable prospect of adequate success; since being a measure without *tone*, and one which secured to that power *time*, which of all things it wished to secure, it seemed better calculated to answer its purpose than ours; moreover, because I was of opinion, in the then state of European affairs, it would be made by the enemies of the two Republics the means of embroiling us with France, the other party to the European war; and because I thought it was unconstitutional to appoint a member of the judiciary into an executive office. And lastly because I also thought, from a variety of considerations, it would be difficult to find within the limits of the United States, a person who was more likely to improve, to the greatest possible extent, the mischief to which the measure naturally exposed us. This last example took place only a few weeks before my own appointment, which was on the 28th of May 1794.

When I considered these circumstances, I was surprised that this proposal should be made me by the administration, and intimated the same to the Secretary of State, who replied, that my political principles, which were known to favor the French revolution and to cherish a friendly connection with France, were a strong motive with the President for offering me the mission, since he wished to satisfy the French government what his own sentiments were upon those points. He added, that in his opinion, the President was as sincere a friend to the French revolution and our alliance with France, as I could be, and of course that nothing would be required of me inconsistent with my own principles; on the contrary that I should be placed on a theatre where I might gratify my feelings in those respects, and at the same time render a most useful and acceptable service to my country; for that our affairs with France had fallen into great derangement, and required an immediate and decisive effort to retrieve them. Thus advised I submitted the proposition to my friends, who were of opinion I ought to accept it, and whereupon I did accept it.

My instructions were drawn in strict conformity with these sentiments, as will appear by a perusal of them. They enjoined

ed it on me, to use my utmost endeavours to inspire the French government, with perfect confidence in the solicitude which the president felt for the success of the French revolution, of his preference for France to all other nations as the friend and ally of the United States; of the grateful sense which we still retained for the important services that were rendered us by France in the course of our revolution; and to declare in explicit terms that although neutrality was the lot we preferred, yet in case we embarked in the war it would be on her side and against her enemies, be they who they might. Several incidents which had occurred in the course of our affairs of a nature to create in France doubts of a contrary disposition in our councils, were expressly adverted to, for the purpose of enabling me to dissipate those doubts, by such explanations as might be most successful. The mission of Mr. Jay to London was particularly noticed; because it was, I presume, deemed most likely to produce or foster such doubts. Upon this point my instructions were as follows: "It is not improbable you will be obliged to encounter on this head suspicions of various kinds. But you may declare the motives of that mission to be, to obtain immediate compensation for our plundered property and restitution of the posts."

Another incident was taken advantage of by the administration, with a view to satisfy the government of France that its professions were in all respects sincere. The senate and house of representatives had each passed a resolution, expressive of the interest they took, respectively, in the welfare of the French republic, with a request by each to the executive, to transmit the same in its behalf to the French government. In fulfilling this duty the executive availed itself of the opportunity furnished, to declare its own sentiments on the same subject, which it did in terms the most strong and emphatic that could be used. In communicating the resolution of the senate it was observed by the Secretary of State (through whose department the communication passed) "that in executing this duty, the liberal succours which the United States received from the French nation, in their struggle for independence, present themselves warm to the recollection. On this basis was the friendship between the two nations founded: On this basis and the continued interchange of regard since has it grown; and supported by these motives it will remain firm and constant. The Senate therefore tender to the committee of public safety, their zealous wishes for the French republic; they learn with sensibility every success which promotes the happiness of the French nation; and

the full establishment of their peace and liberty will be ever esteemed by the Senate as a happiness to the United States and to humanity." And in communicating that of the house of representatives, it was further added; "that in no manner could this honorable and grateful function be more properly discharged than by seizing the occasion of declaring to the ally of the United States, that the cause of liberty, in the defence of which so much American blood and treasures have been lavished, is cherished by our republic with increasing enthusiasm; that under the standard of liberty wheresoever it shall be displayed, the affection of the United States will always rally; and that the successes of those who stand forth as her avengers will be gloried in by the United States, and will be felt as the successes of themselves and the other friends of humanity. Yes, representatives of our ally, your communication has been addressed to those who share in your fortunes, and who take a deep interest in the happiness and prosperity of the French republic."

These resolutions were public, being printed and published on the journal of each house; whence it was reasonable to infer, that the communication of the executive, which announced them to the French government, was likewise of a public nature, especially when it was considered that the committee of public safety might publish the whole, if it thought fit. No intimation was given me by the administration that it was its wish they should be kept secret; I therefore concluded that the publication thereof, was a circumstance, that must have been contemplated by the executive.

Upon this basis my mission was laid; a basis which satisfied me, that whatever might be the success of our extraordinary mission to England, its objects were so few, and its powers so strictly limited and well defined, that nothing could possibly result from it, that would lessen the confidence of France in the friendship and affection professed towards her, or call in question the purity of my motives in accepting, under the administration, this mission to the French republic. The prospect before me therefore every way was an eligible one. My connection with the administration was formed upon my own principles; or rather our principles appeared to be the same in all the points in question; and the duties it was enjoined upon me to perform, were those in which of all others I wished to succeed; for nothing could be more delightful to me, than by labouring to inspire the French government, upon terms safe and honorable to myself, with a confidence

in the fair and friendly views of our own, to contribute to reclaim to the bonds of a close amity, two countries whose friendship was contracted in the war of our revolution, and which ought to be eternal ; but who were now unhappily diverging from each other, and in danger of being thrown wholly apart ; and, as I presumed, equally against the interest and inclination of both. Nor could any thing be more delightful to me, than to be able, by means of that confidence, to recover to our citizens a full indemnity for the injuries they had already sustained by the loss of it : And these were the particular duties it was enjoined upon me to perform. I embarked therefore immediately with a view to commence and pursue them with zeal.

Upon my arrival in Paris, which was on the 2d of August 1794, I found that the work of alienation and disunion had been carried further than I had before even suspected. The harassment of our commerce had commenced, and gone to some extent ; and a coolness and distrust of our policy were marked strongly in their proceedings. In short it was apparent that things were in train for an entire separation of the two countries, as may be seen by reference to the documents which exhibit a correct view of the then state of our affairs.*

I presented my credentials to the commissary of foreign affairs, soon after my arrival ; but more than a week had elapsed, and I had obtained no answer, when or whether I should be received. A delay beyond a few days surprised me, because I could discern no adequate or rational motive for it. The state of things occasioned by the fall of Robespierre, which took place just before my arrival, might protract it for that term, but not a longer one. Soon however intimations were given me, that it proceeded from a very different cause ; one too which materially affected the honor of our administration as well as my own. It was intimated to me that the committee, or several at least of its members, had imbibed an opinion that Mr. Jay was sent to England with views unfriendly to France, and that my mission to France was adopted for the purpose of covering and supporting his to England ; that the one was a measure of substantial import, contemplating on our part a close union with England ; and that the other was an act of policy, intended to amuse and deceive. It was added that

* See a summary in letter No. 10, page 118 ; also my notes to the committee, of the 3d. of Sept, page 30, and 18 of O. A. page 63.—As also Mr. Skipwith's report to me heretofore printed by order of the house of representatives.

this impression not only caused the delay of my reception, but that the committee being unwilling to become the dupes of that policy was devising how to defeat it, and in consequence that it was impossible to say when I should be received. I was equally disgusted and disquieted with this intelligence, because I thought the impression the committee had taken of the views of our administration was unfounded; and because I foresaw if it influenced their councils it would produce effects very injurious to our affairs. And on my own part I felt a degree of resentment towards the committee, for suspecting that I would become the instrument of a policy so opposite to my own principles; or in other words that I would inlist under the administration for the purpose of promoting the views, that were ascribed to it, by betraying those republican principles which were near to my heart, and to the advancement whereof my past life and services had been dedicated. Upon consideration of these circumstances, and especially as I conceived myself strong in the ground upon which I stood, in respect to the views of the administration as well as my own, I was resolved to take the subject from the committee, and present it before another tribunal. With this view I addressed a letter to the convention on the 14th of that month, notifying it of my late arrival, and asking to what department of the government I should present myself for recognition; and I was happy to find that this expedient produced immediately its desired effect, for I was in consequence thereof received and recognized by the convention itself on the day following.*

* Note of Mr. Skipwith—

SIR,

In answer to your request of my stating to you such incidents as concerned and preceded your recognition by the national convention, I am enabled to say, from a most perfect remembrance of the fact, that from the many days' silence of the committee of public safety, who had the sole control of diplomatic relations, some doubts had began to circulate of the ultimate issue of your reception; and I well recollect that upon an interview during that period with a certain French gentleman, who had before for many years filled, and who does now fill, a respectable station under this government, he gave me to understand, that there might be in the committee of public safety an indispotion or some opposition to your being recognized, and therefore strongly recommended the expediency and propriety of your addressing yourself directly to the convention. The substance of this conversation was more than once repeated to me by said gentleman, and with the particular desire of my communicating it to you. You may also recollect, as I think I do, that another person at that time holding an office which gave him the best possible means of information, did make to both you and myself like intimations. Indeed, the delay of the committee of public safety after you had announced your mission in causing you to be recognized, was enough to inspire, and did inspire, very serious doubts of its final issue. With very sincere esteem, I am dear Sir, your most obedient servant,

FULWAR SKIPWITH,

When I delivered my address to the convention, I thought proper likewise to lay before it, the resolutions of the senate and house of representatives, as communicated by the administration, as well as my own, in respect to France and the French revolution upon clear, just, and honorable ground. I thought I perceived distinctly that not only the temper which had been shewn by the committee, but the general derangement of our affairs with France, proceeded in a great measure, if not altogether, from the same cause, a suspicion that we were unfriendly to them; hence feeling no motive to discriminate between us and the other neutral powers, which were royal powers, and secretly hostile to the revolution, they had comprized us in their regulations with respect to them. *This* therefore appeared to me to be the most suitable time to make an effort to remove that suspicion, and *that* measure the most likely to accomplish it. Upon this principle then that step was taken, and I was happy to find that it produced immediately in the convention, and throughout France, the favorable effect I had expected from it. With the committee however it did not produce an effect so immediate, nor ever in the same degree. ~

Being recognized, I now applied myself to the ordinary duties of my office, and with all the zeal of which I was capable. The first object to which I turned my attention was the deranged state of our commerce, and the first application I made to the committee of public safety was for a restoration of the ancient and legitimate order of things, with reparation to our citizens for the injuries they had sustained by a departure from it. My first note to the committee of public safety on this subject, bears date on the 3d of September, 1794; * in which I discussed and combated copiously, and as ably as I could, the conduct of France in thus harassing our commerce, against the stipulations of certain articles in our treaty with her; and urged earnestly the immediate repeal of the decrees which authorized that proceeding. I had closed my note with this demand, when further reflection, strengthened by the apparent temper of the committee, suggested a doubt whether I had not transcended my instructions, and might not by such a demand, under such circumstances, and upon my own responsibility, bring on my country the embarrassment of demands on the other part, under another article of the treaty. I examined again and again my instructions; and was finally of opinion they did not contemplate the de-

* See page 30th.

mand. : But yet I was unwilling to suffer the impression which the manner of my reception by the convention had made upon the community at large, to pass off, without an effort to improve it to advantage ; and was persuaded from what I witnessed of the general temper of the public councils, that the way to turn that impression to the best account, was to make a liberal and generous appeal, on our part, to like motives on theirs. Upon this principle, therefore, and upon due consideration of the above circumstances, the last clause in that note was drawn. By this however I do not wish to be understood as having been guided by political motives only in expressing the sentiments contained in that clause ; on the contrary I admit they were strictly my own ; affirming at the same time that they would never have been thus expressed, had I not been satisfied, they were such, as it was honourable for the United States to express, and were likely also to promote their interest.

The passage in my instructions applicable to this subject was as follows. After speaking of the Bordeaux embargo it adds : " But you will go farther and insist upon compensation for the captures and spoliations of our property, and injuries to the persons of our citizens, by French cruisers." There appeared to me to be a material difference between a power to demand compensation for captures and spoliations already made, or which might afterwards be made, and that of calling specifically on the French government, to execute certain articles of the treaty between the United States and France, which it was known before I left America were set aside, and the reasons for so doing explained. I concluded if it had been intended to demand an execution of those articles of the treaty, I should have been specially instructed so to do, since the object appeared to me to be too particularly important to have escaped the attention of the administration ; or, being attended to, to have been meant to be comprized in the above article of instruction. And the circumstance which suggested caution on my part, lest I should expose my country to injury and myself to censure, was the stipulation in our treaty of alliance with France of 1778, by which we bound ourselves, in return for her guarantee of our independence, to guarantee to her forever, her possessions in the West Indies. I was fearful if we pressed her to fulfill strictly those articles in our treaty of commerce, which were favorable to us, it might induce her to call upon us to fulfill the article above mentioned in our treaty of alliance.

My note was now before the committee, and my efforts to obtain an early and full compliance with its several objects, earnest and unceasing. Six weeks, however, elapsed and I had made no progress at all. On the 18th of October* I sent in a second note in support of the former and with like effect. From the committee itself I could obtain no answer, and to my informal applications to some of its members, I found that the difficulty of allowing our vessels to protect the property of English subjects, whilst they gave none to that of French citizens, against the English cruisers, with that of distinguishing in our favor from the case of Denmark and Sweden, in which we were now involved, were objections of great weight with the committee.† But yet I thought I could discern another motive which though withheld, or rather not avowed, was likewise a powerful one. I thought I perceived, still remaining in the councils of that body, a strong portion of that suspicion of our views, in regard to our mission to England, so impressiv upon my arrival; but which I had hoped was eradicated; and the more earnestly I pressed an accommodation with my demands the more obviously did this motive present itself to my view. Thus our affairs were at a stand and the prospect of making any progress in them at best a gloomy one. In the interim too our commerce was harassed, and the same system continued in other respects, which I was labouring to change. Possessing then, as I thought I did, the specific remedy, I was resolved to apply it to the disease. For this purpose therefore I sought and obtained an interview with the diplomatic members of the committee, commencing a conversation with design to lead them to that point, that I might explain in a suitable manner the objects of Mr. Jay's mission to England, and in which I easily succeeded.‡ The Gazettes had teemed with reports for

* See page 67.

† See page 88.

‡ Memorandum of a conversation that passed some time in November, in an interview between Mr. Monroe and two Diplomatic members of the committee of *Salut Public*; at which, by his desire, I was present.

The subject was introduced by Mr. Monroe's observing on the necessity that all powers at war must feel to bring their disputes to a close—That this was often effected by the interposition or mediation of a third power—That, on the present occasion, the United States, actuated by the warmest wishes for the tranquillity and happiness of the Republic, would cheerfully contribute their good offices towards bringing about a pacification with the allied powers, if their

some time before this, that Mr. Jay was about to pass over to France, to propose a mediation of peace, on the part of America, at the instance of England, which reports had, as I understood (impressed as the committee was with his political character) contributed to keep alive, if not increase, the suspicion above referred to. I began therefore by making a kind of offer of our services to the republic to promote peace, by way of mediation, according to an article in my instructions; but in a manner to create a belief that we neither wished nor would undertake that office unless by solicitation; nor then except at the instance of our ally: adding that I wanted no immediate answer to this communication, having made it only to inform them of the amicable views of our administration towards France. So far my chief object was to discredit that report without noticing it. The members however ad-

entremise would prove acceptable or useful to the Republic; at the same time, declaring explicitly, they were by no means disposed to listen to any overtures that might be made them by the other powers at war, for conciliating their mediation.

To this it was replied, that the government received those offers as a distinguished mark of the friendly disposition of the United States towards the Republic, and would not lose sight of them:—But that her enemies, if they felt a necessity for peace, must make direct application for it; and, that the dignity of the Republic, supported as it was by the successful progress of its arms, rendered this mode of treating only admissible.

It was asked; if Mr. Monroe was in correspondence with Mr. Jay? To which he replied, he was not.—And it was then further asked; if Mr. Jay was expected soon in Paris?

Some conversation led to Mr. Monroe's observing, that the object of Mr. Jay's mission to England was confined solely to the procuring compensation for the depredations committed on our trade, and obtaining the surrender of the western Posts.

By the diplomatic members, it was mentioned, that it was understood, the United States had declined acceding to some proposals made them by Sweden and Denmark, for joining their armed neutrality—to which Mr. Monroe observed, that he was unacquainted with such proposals, but admitting they were made, the result could not be known, until after the opening of the session of congress.

The offer of the mediation of the United States, made by Mr. Monroe, appeared to me to be received with coolness, though the expressions acknowledging their sense of it were perfectly polite; and in the questions relative to Mr. Jay, above cited, with others of more indifferent nature, there appeared, to be couched a degree of jealousy and suspicion of the object of his mission.

JOHN H. PURVIANCE.

Paris, January 16th, 1795.

verted directly to it, asking me whether it was true, and to which I replied, that it could not be true, since Mr. Jay was sent to England upon special business only, "to demand compensation for the depredations on our trade and the surrender of the western posts,"* to which his authority was strictly limited. The members acknowledged, in terms sufficiently polite, the attention which was shewn upon that occasion, by the administration, to the interest of France, as well in the offer of service to the French republic by the United States, as in the confidential communication I had made upon the subject of our own affairs, and thus the conference ended.

About this time I was applied to by Mr. Gardoqui, minister of finance in Spain, to obtain for him of the French government permission to enter France, ostensibly to attend certain baths on account of ill health; but, as I supposed, to open a negotiation for peace with the French republic. At first I was averse to comply with his demand; because I was persuaded, from what I saw of the jealous temper of the committee towards us, that an agency in the affairs of the enemies of France, however friendly the motive for it in regard to France might be, was more likely to encrease than diminish their distrust, and by means thereof injure our own affairs; and because I did not like to repeat overtures of friendly offices, when it was possible the motive for so doing might be misinterpreted. The demand however being reiterated, and passing by trumpet through the Spanish and French armies, I could not well avoid presenting it to the view of the French government. I resolved however, in so doing, to express myself in such terms as to shew my independence, equally of Spain and France; upon which principle my note to the committee of public safety of the 13th of November 1794, inclosing copies of Mr. Gardoqui's letters to me, was drawn; for by the manner in which I delivered my sentiments of Mr. Gardoqui's views in writing those letters to me, it must have been obvious, that there was no political concert between him and me;

* See Mr. Purviance's note of the conference, which may be relied on as accurate; because he interpreted between the members and myself, upon that occasion; since at that time I could not so much rely on my knowledge of the French language, as to depend on myself in that respect. By his note I am also reminded, that other topics were touched on by these members, and in particular, that I was asked, whether I corresponded with Mr. Jay? and replied, that I did not (as was the fact at the time) on political topics, which was doubtless the object of the enquiry. I recollect too, that when the question was propounded, it was done in a manner to impress me with a belief it was suspected I made the proposition at the instance of Mr. Jay, and in harmony with the British government.

and by the manner in which I addressed the committee upon that occasion, it must have been equally so, that although I wished success to the French republic, yet I had too high a respect for the United States, and knew too well what was due to myself, to weary that body with professions or overtures of friendly offices, which were not solicited. This incident I am satisfied produced a good effect in our favor, by drawing towards me the confidence of the French government, and of course to the communications which I made it on the part of our own.*

Just after this, I was asked by the diplomatic members of the committee of public safety, whether I thought they could obtain by loan, of the United States, or within the United States, some money to aid the French government in its operations. I understood, about four or five millions of dollars were wanted, to be laid out in the purchase of provisions and other supplies in the United States. The inquiry was rather an embarrassing one, for many reasons. Upon a full view however of all circumstances, I thought it best to refer the committee for an answer to the administration; availing myself of the occasion it furnished, to unfold more fully the then subsisting relations of the United States with Britain and Spain respectively, with a view not only to dissipate all remaining doubt on those points, but to engage France to assist us in our claims upon those powers in case it should eventually be necessary so to do. Shortly after this I was informed by the diplomatic members of the committee of public safety, that their minister then about to depart for the United States would be instructed to propose to our government an arrangement, whereby France should engage to secure the attainment of all our claims upon those powers, when she made her own treaties with them, as likewise to protect our commerce against the Algerines.†

By these several communications and explanations, on my part, which were much aided by the movements of General Wayne on the Frontiers, shewing that if we were not in a state of actual war with Great Britain, so neither were we in that of actual peace; as likewise, by some changes in the committee itself, it was soon to be seen, that the doubts which that body had heretofore entertained of the sincerity of our professions, and rectitude of our views began to wear away; for, from this period, may be dated a change in its policy towards the United States; a change which soon became so visible afterwards.

* Page 75.

† Page 124.

About this time, it is important to be remarked, that I received a letter from the Secretary of State, of the 25th September, 1794, which assured me, that in his judgment our negotiation with England was likely to fail in all its objects, and that *that* with Spain was at a stand; the courts of Madrid and London being cordial in their hatred of the United States, and a determination to harass them through the Indians. By this letter too, I was advised of the efforts made by the French Minister, Mr. Fauchet, through his Secretary Mr. Le Blanc, to inspire the French government with a belief, that *certain members in our own had a British tendency*; and admonished of the means I had to confront that idea, *since I knew how Mr. Jay was restricted*; an object to which my attention was now particularly called, since, under existing circumstances, it was deemed *indispensible for us to stand well with the French Republic**. Thus advised, I not only felt myself fortified in the measures I had already taken to cultivate a good understanding with the French government, as above stated; but stimulated to pursue the same object by like means, with new zeal.

By this time I had become personally acquainted with many of the members of the committee, the reserve heretofore shewn me being in a great measure thrown off; nor did I ever fail to avail myself of the opportunities thereby furnished, to urge as a *man*, what I had so often before pressed as a public minister; nor can it be doubted, that the effect thereby produced, in regard to the objects in view, was a salutary one.

On the 18th of November 1794, the committees of public safety, commerce and supplies united, passed an arreté, by which the commissary of marine was ordered to adjust the amount due to our citizens on account of the Bourdeaux embargo; as likewise for supplies rendered to the government of St. Domingo. By it, too, the embarrassments which impeded our direct commerce with France, as also those which impeded it with other countries, by the arbitrary rule of contraband, in respect to provisions destined for those countries, were done away. Free passage, in our vessels, was likewise allowed to the subjects of the powers at war with France, other than soldiers and sailors in the actual service of such powers. In short, all the objects to which my note of the 3d of September extended, were yielded; except that of allowing our vessels to protect enemies' goods, which point was declared to be withheld, until such powers should agree, that the merchan-

* Page 88.

life of French citizens, in neutral vessels, should likewise be free.*

Thus the business of reform in our affairs with the French Republic was happily commenced. By the above arrêté an important change was actually produced in the general temper and conduct towards us; for by it many practices, very injurious to us, and heretofore legal and even commendable, were now prohibited and made criminal. And much likewise was done by the mitigation, which this change in the public councils, now become general in our favour, produced in the execution of that which was yet tolerated; for after this I do not recollect an instance, especially in France, where a vessel of ours was brought in upon the suspicion of having enemies' goods on board.

But the business of reform did not end here; on the contrary it was only commenced; for not long after this it was proposed by the above named committees, united with that of legislation, in a report to the convention, as the part of a general system, to put in execution likewise that article of our treaty, which stipulates, that free ships shall make free goods, which proposition was adopted on the 3d of January, 1795, and announced to me by the committee of public safety immediately afterwards. Thus the ancient harmony between the two countries was completely restored by a repeal of the several decrees and arrêtés which had disturbed it. †

It is a circumstance worthy of attention, that as, upon a former occasion, the United States followed the fortune of the other neutral powers, such as Denmark, Sweden, &c. when the decrees restrictive of their commerce passed, so upon the present one those powers followed the fortune of the United States, by participating with them in the benefit of the repeal of those decrees. In the former stage, the United States had not sufficient weight to separate themselves from the condition of those powers, which were royal powers, and unfriendly to the French revolution; in the latter they had acquired sufficient weight to recover the ground they had lost, and even to impart the advantages of it to those powers also; for having been heretofore connected, it was now difficult for the French government to distinguish, in that respect, between those states and those other powers.

Our affairs with France were now in a prosperous state. By the repeal of the decrees under which our trade was harassed, there was an end put to complaints from that cause;

* Page 95.

† Page 106.

and, as orders were issued for the adjustment of the accounts of such of our citizens as had claims upon the French Republic, with a view to their payment, the prospect of retribution for past losses was likewise a good one. ✓ Soon too our commerce flourished beyond what was ever known before; for by virtue of our treaty with France of 1778, whose stipulations were now respected in every article, we were becoming, and actually became, not only the carriers of our own bulky and valuable materials to England and her allies (with the exception, in their case, of the strict contraband of war only) and of course to every port of the sea, which gave us a friendly welcome; but were likewise, on account of the protection which our vessels gave to the property of the enemies of France, becoming also the carriers of England and her allies in the war. Such, too, was the friendly bias of the people of France towards us, that notwithstanding our vessels gave no protection to French property against English cruizers, nor in certain cases to the productions of the French Islands become American property, yet we were become likewise the principal carriers of France.) Even the privilege of American citizenship was an object of great value to the owner (I mean in a mercantile view) for an American citizen could neutralize vessels, funds, &c. and thus profit, in many ways, by the condition of his country. Nor did France invite us to the war, or manifest a wish that we should engage in it; whilst she was disposed to assist us in securing our claims upon those powers, against whom we complained of injuries. In short, such was our situation with the French Republic, and with other powers, so far as depended on the French Republic, that there was but one point upon which we had cause to feel or express any solicitude, which was that it might not vary.

But unhappily this state of things, so correspondent with our ancient relations with that country, so congenial with the public sentiment, and necessary to the public welfare, was not doomed to be a permanent one; for even whilst the proposition, last abovementioned, was depending before the convention, accounts were received from England, that Mr. Jay had concluded a treaty with that power, of very different import from what I had been taught by my instructions to expect, and had likewise taught the French government to expect would result from his mission. Hitherto I had understood, and had so stated, that his powers were limited to the adjustment of the particular points in controversy between the two countries; but by these accounts it appeared, that a treaty was formed, upon very different principles, whereby our connec-

tion with France was essentially weakened, by a new and very close one with England. Here then began a new era in our affairs, which will be perhaps forever memorable in the annals of our country, the incidents attending which I will proceed to relate.

It will readily occur to every dispassionate mind, that this report, though merely a report, must have subjected me to some embarrassment, which would continue 'till I was enabled completely to disprove it. But I will not dwell on this circumstance. I will proceed to narrate facts which shew how we lost the ground we had gained as above, and ultimately reached the point where we now are.

As soon as this report reached Paris, it was obvious that it produced in the committee a very disagreeable sensation in regard to us; for immediately afterwards, I was applied to by that body in a letter, which stated what they had heard of the contents of that treaty, and asking in what light they were to consider it.* It happened, that I had received on the same day a letter from Mr. Jay, of the 25th of November, informing me, that he had concluded on the 19th of the same month, a treaty with Great-Britain, which contained a declaration "that it should not be construed, or operate, contrary to our existing treaties;" but, "as it was not ratified, it would be improper to *publish* it." I therefore made his letter the basis of my reply to the committee, inserting verbatim so much of it as applied; adding, that although I was ignorant of the particular stipulations of the treaty (which, however, for the removal of all possible anxiety on that subject, I would communicate as soon as I knew them) yet I took it for granted, the report was altogether without foundation. My answer was so far satisfactory to the committee as to prevent, at the time, any change in the policy recently adopted towards us; for the decree, which proposed to put into full execution our treaty of commerce with France, then depending, as already observed, before the convention, was passed without opposition.

In promising to communicate to the committee the contents of this treaty as soon as I knew them, I did so in the expectation of fulfilling my promise, when I received a copy of the treaty from the department of state, and not before; for I expected no further information upon that subject from Mr. Jay. I concluded, as he had already communicated to me a part of the treaty, and withheld the residue, that he had

* See page 103.

† Page 105.

done so upon mature deliberation, and meant to communicate to me no more of it; and in this opinion I was the more confirmed, from that passage in his letter, which stated, that as the treaty was not ratified, it would be improper to *publish* it; since I could not understand that passage, otherwise than as an intimation, he should withhold from me the other parts of the treaty. And in making that promise to the committee, I did it with a view to preserve the same spirit of candour in my communications with that body, *now that the treaty was concluded*, that I had done whilst the *negociation was depending*, a departure from which would doubtless have been immediately noticed. To the department of state therefore alone I now looked for such information respecting that transaction, as the public interest required I should possess; always presuming it would place the result, upon a footing correspondent with its previous communications to me, and mine to the French government, with which they were sufficiently acquainted.

On the 16th January, 1795, I received another letter from Mr. Jay of the 28th of November preceding, informing me that he proposed soon to communicate to me, in cypher, the *principal heads* of the treaty *confidentially*. * This information surprised and embarrassed me. It surprised me, because it promised a result different from what I had expected from his preceding letters; and it embarrassed me because, although it was for many reasons an object of great importance with me to possess the treaty, in case it were of the kind I had understood it would be, yet I was now very averse to receive it, in case it were otherwise, on account of the promise I had already made to the committee, to communicate to it the contents, as soon as I knew them, as above stated. Thus circumstanced I resolved to write to Mr. Jay, by a confidential person, and inform him of my engagement with the committee, requesting a copy of the treaty to enable me to comply with it; urging as a motive for his sending one and truly, the good effect it would produce upon our affairs there; in the expectation of obtaining one, only in case the treaty was of a particular import, in which case I could see no motive why he should refuse that mark of confidence to the committee; and of preventing its being sent, in case it was otherwise, or in case Mr. Jay did not wish its contents to be known to the French government; for in either of those cases, and especially if clogged with any condition whatever, I did not wish to possess it. I committed this letter † to the care of Mr. Purviance, a very

* See page 113.

† Ibid.

respectable and deserving citizen of Baltimore, who departed with it a few days after the receipt of Mr. Jay's letter above mentioned, and returned with his answer, bearing date on the 5th of February, sometime early in March following. In his reply he refused to send me a copy of the treaty as I had requested; urging as a motive for his refusal, that we were an *independent nation, &c. had a right to form treaties, &c.* with other sound maxims which were never questioned.*

Here again I concluded and hoped that the business between Mr. Jay and myself was at an end, and of course, that I should hear nothing further from him upon the subject of his treaty. But here again I was disappointed; for sometime in March I received another letter from him of the 19th of February, by Colonel Trumbull; in which he informed me, he had authorised that gentleman, to communicate to me the contents of that treaty, in perfect confidence, to be imparted to no other person.† This last letter was still more extraordinary than any which preceded it: For as he had refused to send me a copy of the treaty, according to my request, by Mr. Purviance, and omitted, not to say refused (though indeed I understood his omission in the light of a refusal) otherwise to inform me of its contents, by that very safe opportunity, I did not see how the correspondence could be continued on that subject, on his part. Nor was my surprise otherwise than greatly increased, after having informed him, that the only acceptable mode by which the contents of the treaty could be conveyed was by the transmission of a copy of the instrument itself, at the proposition which he now made, to communicate them to me *verbally*, upon a presumption that it would be *more satisfactory* to me, to receive them *thus*, than by written *extracts from the treaty*, and upon condition that I would communicate them to *no other person whatever*. This proposition being altogether inadmissible, was of course rejected.

Soon after this, Colonel Trumbull made a communication, upon the subject of this treaty, to Mr. Hichborn of Boston, with design that he should communicate the same to me unconditionally; and of course, in the expectation that I would communicate it to the French government. In consequence I received this communication in *writing* from Mr. Hichborn, with the attention which was due, to those two gentlemen, whom I personally respected; and made of it, afterwards, all the use which a paper so informal would admit of: ‡ And thus

* See page 143.

† Page 154.

‡ Page 155.

was executed Mr. Jay's promise to communicate to me the contents of his treaty with the English government; upon which topic I will now make a few observations only, and then dismiss it.

My promise to communicate to the committee the contents of Mr. Jay's treaty, as soon as I knew them, sufficiently explains the motive of that intimation to him; but why demand a copy of the instrument for that purpose? Why not make my representations to that body, upon the faith of Mr. Jay's to me, without further proof? Ought this to be expected under like circumstances by any one? Or, ought any person who refuses to repose confidence in another, as was the case in the present instance, by withholding the document in question, to expect that *that other* would confide in him? Is not the very circumstance of withholding a document, whilst the party possessing it labours to impress you with a belief that *such* are its contents, calculated to create at least a suspicion that the fact is otherwise; and that the solicitude shewn proceeds from a desire to deceive? And if such would be the effect of such conduct on the part of a man indifferent or unknown to you, what ought to be expected from it when practised by one in whose political morality you had no confidence, and of whose obnoxious political principles and views you were already forewarned, by a long acquaintance with them? These considerations will, I presume, likewise sufficiently explain why I would make no representation to the French government of the contents of that treaty, for which I became personally responsible, upon the mere authority of Mr. Jay, or otherwise than upon a copy of the instrument itself.

But I had another reason of great weight in my mind for requiring a copy of the treaty from Mr. Jay, or preventing further communication with him on that subject, in case he would not send one. My object, as already stated, was by fair and honest means, to remove the suspicions which the French government entertained upon that subject; and with a view to promote the interest of my country. If then, Mr. Jay enabled me to accomplish the object, by a copy of the treaty, he seconded my views. But if he did not, every communication from him short of that, only tended to weaken the ground upon which I stood; whilst it personally embarrassed me. It will be remembered, that by my instructions I stood upon strong ground; since by their authority I could declare what I believed the treaty was, as I had before done what I believed it would be. But this I could not do in the case of a difference of the treaty from my instructions, unless I remained

absolutely ignorant of its contents : Nor would the French government believe me in case I did, unless the declaration was supported by circumstances the most satisfactory, of which would be a belief, that there was no confidential understanding between Mr. Jay and myself ; for knowing, as was to be presumed, the footing upon which we stood before we left America, as well as the administration knew it, or even we ourselves, and suspecting (as the committee always did) the object of his mission to England, which suspicion was now revived, perhaps much increased,—it would not fail to construe such intimacy into a proof of my apostacy, and his and my mission, on the part of the administration, into an act of political intrigue, directed against the cause of liberty, of which France was to be alike the dupe and the victim ; an imputation I not only did not merit, but to which I was resolved to give no countenance or sanction whatever, by any part of my conduct. This consideration, therefore, likewise fortified me in the resolution I had already taken, to request a copy of the treaty as the only document that could be useful to me, and neither to accept from him that or any other, otherwise than unconditionally.

Such was my conduct upon the above occasion, and such the motives of it. Such was, likewise, Mr. Jay's conduct upon that occasion, on whose motives I shall forbear to comment. What they were throughout, it is submitted to others to determine, upon a view of the facts and circumstances presented ; which cannot otherwise than furnish to the impartial a satisfactory guide. (Henceforward, therefore, I looked to the department of state, for all further information respecting the contents of that treaty, and in the interim, upon the faith of my instructions and the clause sent me by Mr. Jay, continued to assure the committee, that, in my opinion, it contained nothing which ought to give them just cause of uneasiness ; but if it did, that it would be disapproved in America.* Which assurance was, most certainly, not without effect ; since, by means thereof, the committee was preserved, if not in a state of perfect confidence, yet in one of perfect tranquillity.)

Henceforward, the few letters I had received from the Secretary of State were written before he was apprized of my arrival in France ; and, of course, referred to a state of things which preceded that event : But about this period, being the beginning of February 1795, I received a letter from him of

* See page 147.

the 2d of December 1794,* which was written after he knew of my arrival, and upon the receipt of my third letter (of the 15th of September, of the same year) the two preceding letters having not yet reached him. In this he notices my address to the convention; as also my letter to the committee of public safety of the third of September following; both of which acts he censures in the most unreserved and harsh manner. In the first he charges me with having expressed a solicitude for the welfare of the French Republic, in a style too warm and affectionate; much more so than my instructions warranted; which too he deemed the more reprehensible, from the consideration, that it was presented to the convention *in public and before the world*, and not to *a committee in a private chamber*; since thereby, he adds, we were likely to give offence to other countries, *particularly England, with whom we were in treaty*; and since, also, the dictates of *sincerity do not require that we should publish to the world all our feelings in favor of France*. For the future he instructs me, to cultivate the French Republic with *zeal*, but without any unnecessary *eclat*, and by my letter to the committee, demanding an indemnity for spoliations, and a repeal of the decrees suspending the execution of certain articles of our treaty of commerce with France, he objects that I had yielded an interest it was my duty to secure. To support this charge, he selects out the last clause in that letter, and without entering into the spirit of the paper, or its probable effect upon the committee, reasons upon it as if it stood alone, and contained an absolute and formal surrender of the right in question; for which act of indiscretion, or rather misconduct, he intimates in pretty strong terms, that the administration think a mere reprimand inadequate.

To this letter I replied immediately, in one of the 12th of February,† in which I answered, explicitly, his several charges, and, I presume, proved they were unfounded in every instance.‡ Upon this occasion I thought proper in reply to his first charge, to lay open more fully than I had before done, some truths, at which, indeed, I had before only glanced; particularly the light in which our administration was viewed by the committee upon my arrival;§ a circumstance which

* See page 115.

† Page 118.

‡ Ibid.

§ To convey an idea of the rise and progress of the discontent and distrust of the French government, it would be necessary to go back to a period antecedent to my mission,—to the appointment of a man of the political principles and character which were known to

had subjected me to so many and painful embarrassments at that period, and for some considerable time afterwards, and so much to the injury of our affairs; details I would never have given, had I not thus been called on to do it in my own defence: For, in truth, as I thought after those embarrassments were surmounted, that complete harmony was perpetually re-established between the two countries, it was my wish as well from public considerations, as from motives of personal delicacy towards the parties interested, to bury them in oblivion. And in reply to his second charge, I answered by informing him, that some time before the receipt of his letter I had transmitted him a copy of a decree which carried into full execution the violated articles of our treaty of commerce with France; whereby the very object was obtained (as in my judgment it had been much forwarded by the mode in which it was pressed) the abandonment whereof he had laid to my charge.

I likewise thought proper, upon this occasion, to explain fully the light in which I had understood my mission, as stated in my instructions; with the relation it bore to that of Mr. Jay; all doubts respecting which, in the French government, I was instructed to remove, by making explanations the most explicit, and upon those points upon which such doubts were most likely to arise. In discussing this subject, and stating how I had acted, I plainly told our administration within what limits I expected the result of that mission would be found; intimating, that I had a character not to be sacrificed. To this view I was led by the general tone of the Secretary's letter; which created a doubt, whether the ground upon which I was placed by the administration was a solid one; for I could not

belong to Mr. Morris, my predecessor; to his conduct during the early stage of the French revolution, and whilst in office; which by constantly favoring the royal party, in opposition to the republican course of things, rendered him odious to the French government; to his being continued in place, notwithstanding all this, till his recall was absolutely demanded by the French government; and lastly, to the discovery made by that government, that ours was not dissatisfied with his conduct; since to its demand, and not to a disapprobation of any part of Mr. Morris's conduct was his recall owing; which discovery was made by an intercepted letter from the Secretary of State, to Mr. Morris, expressly assuring him that such was the case. It would be painful to go into details on this subject; but the circumstances here hinted will make it easy to conceive the unfavorable inferences that must have been drawn respecting the temper and views of our administration.

conceive, if Mr. Jay's mission was limited to the objects specified in my instructions, and was otherwise of the character I was taught to believe it was, why such sensibility, or rather such dissatisfaction, should be shewn on account of my presenting to the convention, publicly, those documents which tended to prove how strong the feelings of the administration *were in favor of the French nation*. To express sentiments in private, which it was wished should not become public, appeared to me a strange doctrine to be avowed by the administration of a free people; especially as it was known that the sentiments, thus expressed, were in harmony with those of the people, and with those publicly and formally expressed by the representatives of the people. Nor could I reconcile such a solicitude for privacy to any idea of consistent or rational policy, in regard to the object of the mission to England: For if the object of that mission was to press that government into a compliance with our just demands, as I understood it to be, I could not conceive how that pressure could be weakened by a knowledge, that we were upon a good footing with the French Republic. On the contrary, I did suppose, that a knowledge of that fact would produce the opposite effect, by giving us a more advantageous attitude in the negotiation. These considerations, therefore, suggested a train of reflection which gave me much disquietude, from a fear that the administration had dealt uncandidly with me from the commencement.

Scarcely, however, had I dispatched this letter, when I received another from the administration of the 5th December 1794 (three days later only than the former one) but of a very different import from the former one. In this last letter, my two first of the 11th and 25th of August 1794, were acknowledged and approved, and a kind of apology made for the harsh language used in the preceding one. In this also was renewed, in general but very strong terms, the injunction formerly laid on me, "to cultivate with the utmost zeal the friendship of the French Republic, taking care to remove every suspicion of our preferring a connection with Great Britain or weakening our old attachment to France." To this letter I likewise gave an immediate answer, in which I assured the Secretary that it had removed the disquietude his former one had occasioned, and that thus instructed I should continue to use my utmost efforts to forward the objects of my mission, as I had done before.

It will be remembered that before the accounts of Mr. Jay's Treaty arrived I had availed myself of some incidents that

occurred, to explain to the committee the actual situation of the United States in regard to Britain and Spain; with a view, among other objects, to obtain the aid of France in our depending negotiations with each, in case it were deemed necessary by our Executive; and that the French government proposed instructing its minister, then about to depart for America, to make some proposition to our administration upon that subject. But as soon as those accounts were received, that project was of course abandoned; for it was entertained only at a time, when it was supposed the mission to England would fail. Still however I wished most earnestly to embark the committee in support of our claims upon Spain; since *they* formed a distinct interest, as yet unprovided for, and now much exposed to danger by the appearance of an approaching peace between France and Spain; for I thought it probable, if they were not then adjusted, much time might elapse before they would be. Nor did I doubt, it would be easy to accomplish the object, especially if I could satisfy the committee, beyond all controversy, that the interest of France was not injured by our Treaty with England, without which indeed I felt a reluctance to ask that aid; and in order to enable me to do which, by an act of confidence and candour (in case I found it necessary) and not to satisfy any unwarrantable demands of the French government, for none such were made, was a strong motive why I had requested of Mr. Jay a copy of his treaty as above related.

Upon due consideration therefore of these circumstances (although Mr. Purviance, to whom I intrusted my letter for Mr. Jay had not yet returned) I addressed the committee upon that subject, in a letter of the 25th of January 1795,† in which I explained, more fully than I had before done, the nature of our claims upon Spain; and likewise endeavoured to prove that independent of the motive of rendering an useful and acceptable service to the United States, which I presumed was a strong one, since it would always draw after it its own reward, from a just and a generous people,—there were other considerations of interest, growing out of the relation which the territory, to be benefited by the security of those rights, had with the French islands, which in themselves were sufficient to prompt the French government to yield us that aid. To this letter I received an answer from the committee, of the 8th of February following, addressed in very polite terms, promising to examine with profound attention the observations I had submitted to it, and to give me the result without delay.‡

† See Page 133.

‡ Page 137.

Thus this affair rested till sometime in the beginning of March following, when I was informed by Mr. Pelet of the diplomatic section of the committee of public safety,† and afterwards by Mr. Cambaceres, likewise of that section, that in reliance our treaty with England contained nothing injurious to France, they had expressly instructed their agent, then negotiating with Spain, to use his utmost endeavours to secure for the United States the points in controversy with that power. And shortly afterwards, as their negotiation advanced, I was asked, as well as I remember by those members, as likewise by Boissy D'Anglas, whether we wished to possess the Floridas, since it was intimated it would be easy for France to obtain them; but which she would not do otherwise than with a view to cede them to the United States. I replied I had no power to answer such an interrogatory; but was well persuaded we did not wish an extention of our territory. Well satisfied I am, that France declined taking them in her treaty with Spain, which soon followed, from a fear it might weaken her connections with the United States.

It merits attention, that the part which the French government now took, with a view to secure the claims of the United States against Spain, in its own treaty with that power, was taken merely from motives of friendship for those States, without any claim to, or demand of retribution of, any kind whatever. It equally merits attention, that it was taken at a time when the contents of the English treaty were unknown to the French government, and not unsuspected by many to be of a nature injurious to France. Had that treaty then never passed, and had we also otherwise preserved the ground upon which we stood with that nation, in the commencement of its revolution, what might we not have expected from its friendship?

About the middle of May I received a letter from Mr. Short‡ at Madrid, written by the desire of the duke of Alcudia, chief minister of Spain, to request that I would, as minister of the United States, endeavour to open a new and more active negotiation between that power and France, he having previously assured Mr. Short, that the claims of the United States should be adjusted to their satisfaction. The prospect therefore of success in that important concern was now as fair as it could be.

Shortly after this Mr. Pinckney, who was commissioned to

† 133 See the postscript to letter Nov 12.

‡ See Page 481.

negociate and adjust our interfering claims with Spain, arrived in Paris on his way to Madrid. I informed him of what had passed between the committee of public safety and myself upon that subject; assuring him I was of opinion, if he would explain the object of his mission to the committee and ask its friendly co operation, satisfying it at the same time, that the interests of France were not injured by our treaty with England, that such aid would be granted. Mr. Pinckney was aware of the benefit which would be derived from such aid; but yet did not consider himself at liberty to obtain it, by shewing a copy of Mr. Jay's treaty, which I intimated might be necessary completely to remove the doubts that were entertained in that respect, and therefore deemed it most suitable to say nothing to the committee upon the subject of his mission. I obtained for him, however, an interview with the diplomatic members of the committee, by whom he was received with respectful attention; after which he proceeded on his route to Spain. From this period I never mentioned to the committee the subject of our dispute with Spain; because all agency in that business seemed now to be completely withdrawn from it, and because I could not well do it, under existing circumstances, without violating equally the rules of decorum to both governments. By the committee indeed, a further pressure on my part for its aid, would most probably have been deemed an act of extreme impropriety; and by our administration it might have been deemed an indelicate and ill-timed interference with its measures. Had the committee, however, secured for us those objects in its own treaty, without regarding our mission to Spain, it would have exhibited a novel spectacle to the world; that of one government pursuing another with good offices, apparently against its wishes; nor would the surprise, which that spectacle must have occasioned, have been diminished by a knowledge of the interior details which produced it. It would at least have greatly embarrassed the administration to explain the cause of such a phenomenon to its credit; notwithstanding the advantage thereby gained to the public.

Such was the state of things when Mr. Pinckney arrived in Spain; who very wisely and very fortunately pushed his negotiation to a close, whilst that state lasted.

Sometime in the beginning of May 1795, I received a letter of the 8th March,* from the Secretary of State, and shortly afterwards two others; one of the 15th February† and

* See page 156.

† Page 164.

the other of the 7th of April * following. In that of the 15th February, the Secretary informed me he had not then received Mr. Jay's treaty, but observes, "it is probable our commercial intercourse has also been regulated: Say, if you please, that a treaty has been concluded for commerce also, &c." He adds, "that in the principal heads of the negotiation, the surrender of the posts, the vexations and spoliations of our commerce, and the payment of the British debts, France can have no possible concern;" that by our treaty with her, she enjoys all the advantages of the most favoured nation, &c. and by that of the 8th of March, he acknowledged the receipt of the British treaty on the 7th, but says it will remain undivulged by the Executive till the 8th of June, when the Senate would convene to deliberate on it. In this he notices the uneasiness of the French Minister on account of that treaty, upon which point he makes some general observations declaratory of our right to regulate, by treaty, our affairs with England, in regard to the posts, spoliations and commerce, as we pleased, adding, that "so far as a cursorial perusal of the treaty enabled him to speak, he discovered no reasonable ground for dissatisfaction in the French republic." And in that of the 7th of April, the same sentiments in general were expressed, with a remark, "that the confining of the contents of the treaty to the President and Secretary of State, was not from any thing sinister towards France, but from the usages in such cases; not from an unwillingness that the executive conduct should be canvassed, but from a certain fitness and expectation arising from such a diplomatic act." He adds also, "that the invariable policy of the President is, to be as independent as possible of every nation upon earth, &c."

By these letters it appeared that Mr. Jay had concluded a treaty upon other principles than those to which his powers were restricted, as inferred from my instructions, and of course, that the nature and object of his mission to England had been misrepresented, through me, to the French government. (This circumstance subjected me to a degree of embarrassment which may be easily conceived; nor was it lessened by the intimation of the Secretary, that he saw no reasonable ground for dissatisfaction in the French republic, especially as he admitted the uneasiness of its Minister, and likewise withheld from me the contents of the treaty; a reserve I could not account for upon any consistent principle on the part of the administration; nor otherwise, but upon its belief that the

* See Page 166.

treaty would be deemed injurious to France by the French government. The more, therefore, I reflected upon this subject, the more uneasiness it gave me. I was aware of the reproach to which I was personally exposed, let the commercial part of the treaty be what it might. But this was not the only consideration which gave me pain; I was also fearful that this transaction would bring on a crisis in our affairs, which might be productive, in many respects, of much harm. Soon, however, I resolved upon the line of conduct, which, in the then juncture of affairs, it became me to pursue. That the administration had injured me, was a point upon which I had no doubt; that it had likewise compromised its own credit, and with it that of the United States, was also a truth equally obvious to my mind. But the regard due to these considerations was the point to be determined. What did the honor and interest of my country require from me in the actual state of affairs? What was my object in accepting the mission to the French republic, and how, under existing circumstances, could that object be best promoted? These were considerations of primary importance which presented themselves, and claimed a more early and dispassionate decision. Upon mature reflection, therefore, it appeared that I had but one alternative, which was to remain where I was, and proceed in the functions of my office, notwithstanding the embarrassments to which I might be personally subjected, or to retire, and in retiring, to do it tranquilly, without explaining my motives for it; or by explaining them, denounce the administration to the public. But by withdrawing tranquilly, I should not only have admitted the misconduct of the administration, which I did not then wish to admit, but likewise my own, since it would have exposed me to the suspicion of having accepted the trust to serve a particular purpose, and withdrawing after that was accomplished. Besides, it seemed probable that my retreat at that moment, in either mode, might have some influence in inducing the French government to adopt a system of policy towards us, which it was equally my duty and my wish to prevent. I resolved, therefore, to stand firm at my post, and let occurrences be what they might, to continue as I had done before, to use my utmost endeavours to preserve harmony between the two countries; since that being an object invariable in my mind, I did not see how I could abandon it at a moment when it was menaced by a new danger, from whatever cause or quarter proceeding. To this resolution too I was the more inclined, from the consideration that it was now probable, in case the



treaty with England was in other respects of a different import from what I had been taught to expect it would be, and should likewise be ratified—that I should be recalled by the administration; which compulsory mode of retreat I preferred to a voluntary one, upon the principle, if the administration took that measure without shewing a sufficient cause for it, consistent too with its previous declarations, that it would not only furnish to the world a new datum, whereby the better to estimate its general policy; but likewise leave me completely at liberty to explain, in every particular, the motives of my own conduct.

Having then resolved to stand at my post, or rather not desert it by a voluntary retreat, the path before me, though likely to be difficult, was nevertheless a direct one. On the one hand it was my duty, let the treaty be what it might, to endeavour by all suitable means to reconcile the French government to it. And on the other, to state faithfully to our own such facts and circumstances as occurred, tending to shew the impression which the treaty made on the French government; so that the administration, being correctly advised, might act accordingly. Upon this principle, therefore, I replied to the Secretary, in answer to his letters above mentioned, that I regretted the decision of the administration to keep the treaty secret for the term specified; since, as I had explained to the French government the object of Mr. Jay's mission whilst its issue was uncertain, it was thought strange the result should be now withheld; a circumstance too, I added, which, by keeping alive the suspicions that were at first imbibed of its contents, would not fail to prove hurtful to our affairs in the interim. I assured him, however, that I should continue to endeavour to inspire the French government with a confidence, either that the treaty contained nothing improper, or would not be ratified in case it did.*

About the last of June or beginning of July 1795, Colonel Humphreys, then resident minister of the United States at Lisbon, arrived at Paris with a view to obtain of the French government its aid, in support of our negotiations with the Barbary powers. He brought no letter from the administration to the French government, to authorize his treating with it in person, and of course it became my duty to apply in his behalf for the aid that was desired. Accordingly I addressed a letter† to the committee of public safety on the 5th of July 1795 opening the subject to its view generally, and requesting its aid in such mode as should be agreed between us. I

* Page 159.

† Page 192.

own I made this application with reluctance, because under existing circumstances I did not think it could be made without compromising in some degree the credit of the United States ; for between governments as between individuals I deem it undignified, however friendly their antecedent relation may have been, to solicit good offices, at a time when the friendship of the soliciting party is doubted, as was the case in the present instance. But I own also that my reluctance was diminished by the knowledge that the administration possessed the treaty with England, whilst Colonel Humphreys was in America, and the presumption thence arising, that this objection was weighed and overruled before his departure. Having however made the application I was resolved to pursue the object of it with the utmost possible zeal. In consequence I sought and had many conferences with the members of the diplomatic section of the committee of public safety, and the commissary of foreign affairs upon the subject, in which I was assured the aid desired should be given in the most efficacious manner that it could be. After some delays too, attributable at one time to us, on account of the situation of our funds, and at another, to the committee then much occupied with their own affairs, arrangements were taken for pursuing those negotiations under the care of Joel Barlow, and with the full aid of France. At the moment however when Mr. Barlow was upon the point of embarking with our presents, &c. intelligence was received that a Mr. Donaldson, whom Col Humphreys had left at Alicante with a conditional power, but in the expectation that he would not proceed in the business till he heard further from him, had passed over to Algiers and concluded a treaty with that regency, and of course without the aid of France ; and thus ended our application to the French government for its aid in support of our negotiations with those powers, and nearly in the same manner as that did, which I made for its aid in support of our negotiation with Spain. But as Mr. Barlow was likewise empowered by Colonel Humphreys to treat with Tunis and Tripoli, and the real state of the business with Algiers was unknown ; it was still thought advisable that he should proceed thither, in the hope by concentrating in his hands our general concerns with those regencies, that not only any error which had been committed, if such were the case, might be corrected, but that by his observations upon the character and circumstances of those powers, such light might also be obtained, as would prove useful in the guidance of our affairs with them for the future. Accordingly Mr. Barlow departed soon after this in the discharge of the duties of the trust

reposed in him, and to whose very important and extraordinary services to his country, in the course of his mission, I, with pleasure add here my testimony to that of all those who are acquainted with his conduct in it.

(From this period I had but one object to attend to, the preservation of our actual footing with France, which was, as already shewn, as favorable as we could wish it to be. Nor was there any cause to apprehend a change for the worse, unless it was produced by the English treaty. But the contents of that treaty were unknown and of course there could be no fair ground for a change of policy towards us on the part of France. And upon the subject of it, but little was now said, either by the committee or myself, in our occasional interviews. By the committee indeed it was never mentioned even informally, except when some occurrence brought to view the subsisting relations between the United States and France, such for example as the arrival of Colonel Trumbull, Mr. Jay's secretary, of Mr. Pinckney on his route to Spain, and of Colonel Humphreys, as above stated; or upon some pressure for the settlement of the claims of individuals, upon which occasions it was easy to perceive, it was a subject not lost sight of. And by me it was never introduced, for as I had no new communication to make to the committee upon it, whereby to remove the suspicions that were entertained of its contents, and any allusion to it in that state could of course only serve to revive unpleasant sensations to our disadvantage, I thought it most eligible to keep it out of view. I continued however to look with anxious expectation to the administration, in the hope of receiving from it soon such information, respecting that treaty, and of the future views of our government towards France, as might at least preserve the subsisting harmony between the two nations.

Early in June 1795 accounts were received in Paris that the British government had revived its order for the seizure of provision vessels destined for France. At that period Paris, and many other parts of France, were in the greatest distress for provisions, in consequence whereof the attention of the government was directed with great solicitude to those quarters whence supplies were expected, particularly to the United States of America, where great sums had been expended in the purchase of them. Unfortunately however but few of those vessels reached their destination, for in general they were taken into port by the British cruisers. It was soon obvious that this aggression of Great Britain upon the rights of neutral nations, being made with the intent to increase the distress of famine which was then raging at Paris, and thereby promote

the disorders which were in part attributable to that cause, excited a ferment in the French councils which was not pointed against Great Britain alone. The neutral powers were likewise animadverted upon, particularly the United States, to whom the attention of the committee was, as I had reason to believe, in a more especial manner drawn, by the report of one of its secret agents from England, who stated that he was advised there through a channel to be relied on, that the English administration had intimated the measure would not be offensive to our government, since it was a case provided for between the two governments. I was however happy to find that this report, which I treated with contempt, was at the time not much attended to by the committee; for it was deemed impossible, that our government should give a sanction to the system of kings for starving France. Nevertheless after the treaty appeared, I thought it my duty to communicate the purport of that report to the administration, with the comments that were made on that part of the treaty, which was supposed to authorize the British seizures; in the hope that such a conduct would be observed in regard to that proceeding of the English government, as would exempt us from the imputation of countenancing it.*

About the middle of August 1795, American gazettes were received at Paris containing copies of the English treaty, whereby its contents were made known to the committee of public safety without my aid. From this period therefore all mystery upon that subject was at an end. The possession of the treaty enabled the French government to judge for itself upon all the points which it involved. Nor was the effect which it produced an equivocal one; for there did not appear to me to be a description of persons, not in the interest of the coalesced powers who did not openly and severely censure it. True it is, it made its appearance at a time when it was likely to produce the worst effect, being when Paris and many other parts of France were, as above mentioned, in the utmost distress for provisions, and when the British were likewise seizing our provision vessels destined for their relief.

It will readily occur, from a variety of considerations, that my situation was now truly an embarrassing one. I had, however, long before this settled in my mind the part it became me to act during this crisis of our affairs; which was to do every thing in my power, consistent with propriety, to re-

concile the French government to that treaty. I had therefore *now* no new decision to make, but simply to pursue *that* which I had already made. But as yet it was not known that the treaty was ratified, nor certain that it would be, for the spontaneous and almost universal disapprobation that was bestowed upon it throughout the United States, as soon as it was seen, was sufficient at least to inspire a doubt on that point: Nor had I any letter from the department of state of a late date, to intimate the course our administration was likely to take. At this period, therefore, comprehending the months of August and September, 1795, I did not know how to act;* for admitting that neither my previous well known political principles, nor the communications I had made to the French government, which were in opposition to the result now before it, imposed upon me any restraint, tho' doubtless in strict propriety they ought so to have done, yet until our government took a part, it was impossible for me to take one. Had I for example, turned out in that stage as a partizan of the treaty, and provoked a discussion of its merits with the French government, and a month afterwards received advice from the administration that it was rejected, I should not only have exposed myself to contempt, but likewise have deprived the United States of the merit which the rejection would have entitled them to with the French nation. Besides, what advantage was to be gained by such a course of proceeding in any stage? Was it not always in time to discuss the merits of that treaty, when the French government resolved to do it? and was it not my duty, seeking to preserve harmony between the two countries, to labour rather to prevent a discussion throughout, than to promote one? A certain portion of reserve, therefore, on my part, was now particularly necessary; and such was the conduct which I observed. At the same time I affirm, that it was my invariable practice to avail myself of every opportunity that occurred, to inculcate by all the means in my power, as well by obviating such objections as were made to the treaty, in the best way I could, as by urging considerations of a more general nature, the propriety and policy of preserving the subsisting harmony between the two countries, and with what effect will be seen by the documents which follow.

At this period I witnessed a very extraordinary political phenomenon. The appearance of the treaty excited the general disgust of France against the American government, which was

* See Page 206.

now diminished by the opposition which the American people made to the treaty: for as soon as France saw that the Americans took up the cause as their own, and were indignant at a measure which they thought arranged them on the side of Britain and of kings, against France and public liberty; from that moment did a friendly sentiment discover itself in her councils and throughout the community towards us, which by moderating the temper of the French government promoted of course the views of the administration. The contrary effect was charged upon that display of the public sentiment in America; but the charge was dictated, more in the spirit of party than of true philosophy; for it was not warranted at the time by the principles of the human heart nor did it correspond with the fact.

But near the middle of September had now arrived and I had heard nothing from the administration of its decision on the British treaty, or its views in that respect, and in the interim had the mortification to see that we daily lost ground which it would not be easy to recover. In short it was obvious not only that the French government no longer confided in the amicable professions of our own, but that this treaty had otherwise produced an effect so unfavorable in the public councils towards us, as to give cause to apprehend in case it were ratified consequences of a very serious nature.

By my original instruction it appeared that in case our negotiation with England failed and measures of some tone were in consequence taken towards her, that much reliance would be put on France. It was in fact the plain import of those instructions; that if war was resorted to, which in that case seemed to be contemplated by the administration, that we should be arranged again on the same side with France, *our first and natural ally* (to use the words of the administration) since I was expressly instructed to *let that be seen by the French government*. And by subsequent letters, particularly that of the 25th of September 1794, this idea was reiterated and enforced. It was upon this principle that I touched upon that topic, in my communications with the committee of public safety at a certain period, the result whereof was always made known to the administration immediately afterwards. Nor can it be doubted, in case that negotiation had failed, or the treaty been rejected, that such would have been the policy of our administration. Having then at that period intimated the reliance, which in that case might be placed on France, it became my duty, now that it appeared probable the treaty would be rejected, and myself in consequence

called on to verify the intimations I had given of the disposition of France to support our claims against that power, to state the arrangements it would be necessary for us to adopt to secure that support. Accordingly I informed the administration explicitly, that if the treaty was rejected, and it was wished to command with effect the fortunes of France in any further negotiation with England we, *remaining at peace and relying on France for the support of those claims against that power without any effort of our own, that under existing circumstances it would not only be necessary for the administration to avail itself of some well known pronounced character in regard to the great question which now agitates the world, to whose care the negotiation should be committed, but that in other respects extraordinary circumspection should be used in the prosecution of the negotiation itself:—For otherwise it would not command the confidence of France, nor could her support without it be counted on as sure or effectual.** If this was done I repeated to the administration my assurance that I was satisfied the full aid of France might be obtained to support our claims upon that power, and upon terms fair and honorable to us: Nor have I a doubt that such support wisely managed in negotiation would have been effectual.

About the last of September, or first of October 1795, I received several letters from the Secretary of State, of which those of June 1st† July 2d‡, 14th|| and 21st¶ alone merit attention: All of which came to hand at or about the same time, and generally by the route of England; the vessels by which they were sent being taken into port there, under the order of the British government which issued in the spring for seizing all vessels laden with provisions destined for France.

The letter of June 1st contained a justification of the conduct of the administration in forming a commercial treaty with Great Britain at that period; and likewise a vindication of the administration against the charge of a want of candor (which seemed to be apprehended) in the explanations that were given by it of the motives of that mission; in which the idea of a commercial power was always withheld. The letter of July 2d contained advice, that the treaty was not ratified, and that the president was undecided upon the point of ratification; which uncertainty too as to the ratification was increased by those of the 14th and 21st. A copy of the treaty accompanied the letter of July 2d, and a copy

* See page 209.

† Pages 229. ‡ 256. || 257. ¶ 257.

of the correspondence with Mr. Adet, upon the subject of the treaty, that of July 14th.

It was inferred from these letters, that, when that of June 1st was written, the executive had resolved to ratify the treaty in case the senate approved it, and that the hesitation which afterwards took place proceeded more from the shock which the general disapprobation of the treaty by the people gave the administration, than from any disinclination on its own part to the ratification. It was likewise inferred that that *letter* was written with a view to lay the foundation for such an event, in the expectation the ratification would probably embroil us with France. In one particular the contents of this letter affected me personally, by affirming that my instructions had not warranted the construction I had given them, in explaining as I had done the motives of Mr. Jay's mission to London. In this was opened a subject for discussion between the executive and myself of a very delicate nature. It was however still my hope that our affairs with the French republic would be so managed, as to prevent any controversy whatever, or even discussion of an unfriendly kind between the two governments, and, in any event, my firm resolution to engage in none of a personal nature, with either of them, if to be avoided. Upon this principle I answered the above letters of the Secretary, simply by an acknowledgment of their receipt; repeating to him at the same time my assurance that I had done and should continue to do every thing in my power, not only by a proper use of the documents and lights derived from him, but of such others as my own imperfect experience and erring judgment had supplied, to preserve harmony between the two countries.*

It happened that a few days after the receipt of the correspondence between the secretary of State and Mr. Adet, which accompanied the letter of the 14th of July above noticed, I had occasion to use and accordingly did use it. I had called upon Mr. Jean Debry, the member of the committee of public safety who was charged with American affairs, to procure the passports, dispatches, &c. which were promised by the French government for Mr. Barlow, who was upon the point of departing for Algiers to pursue the negotiation of our treaties with the Barbary powers. Scarcely however was this topic closed, when my attention was drawn by this member to another, that of our treaty with England, which he said was considered by the committee as injurious to France.

He added that he was then preparing a letter in behalf of the committee, and by its order, to me upon that subject. We discussed this point some time, till at length I asked him if the committee had received the correspondence of our Secretary of State and Mr. Adet's upon it, to which he replied in the negative.—I then asked permission to put into his hands a copy of that correspondence; requesting further that the letter spoken of might be deferred until the committee had examined and weighed it, to which he readily assented: A copy of the correspondence was in consequence sent him on the next day, or very soon afterwards.* It was upon this ground that I in-

* See Mr. Purviance's note—

About the end of September, or perhaps the beginning of October last, 1795, I accompanied Mr. Monroe at a conference he had with the representative, Jean Debry, then a member of the committee of Salut Public, and charged with the department of American affairs.

This conference was for the purpose of engaging the good offices of the French government in aid of our negotiations then pending with Algiers, &c. Applications on the same subject had some time before been made to the committee, and assurances returned, that measures would be taken to promote our wishes.

The conversation digressing from the above topic to others, turned on that of the treaty concluded between the United States and England, a copy of which, with the news of its ratification by the Senate accompanied by certain comments or strictures thereon by a French citizen, Jean Debry said had been just received by the committee, and if I recollect right he immediately after hinted at the dissatisfaction excited by this treaty in the mind of the government.

Being asked by Mr. Monroe if they had received the correspondence which had passed between their minister, Mr. Adet, and our government on the subject, he replied they had not;—whereupon he was promised by Mr. Monroe a copy of that correspondence, and it was accordingly delivered to him the next day, or in a very few days after.

Upon his intimating to Mr. Monroe the intention of the committee to address him a letter upon the subject of the treaty, it was requested this letter might be deferred until the correspondence just spoken of had been examined and weighed by the committee.—In this proposition he acquiesced, and presumed they would likewise.—The topic being pursued, Mr. Monroe took occasion to represent the great importance of cool and dispassionate measures on the part of the French government in their relation with the United States, assuring J. Debry, that the pursuit of such measures could not fail to produce the happiest effects, while from a different policy might flow consequences highly gratifying to the enemies of both republics.

intimated in my letter of the 20th of October my opinion, that if the treaty was ratified, I should hear from the French government upon the subject of it : Of the symptoms of discontent which I witnessed, I had before given frequent intimations.

On the 27th of October, 1795, the convention closed its career, by transferring its powers to the present government of France, founded in a constitution which had been regularly submitted to the people, and adopted by them. To this new government was likewise transferred the subsisting relations between France and other powers, comprehending, of course, those with the United States of America.

Just before this change of government in France, Mr. Fauchet arrived from the United States with an account, that the treaty was ratified ; of whose arrival, dissatisfaction with the treaty, and apparent favorable reception by the committee of public safety I informed our administration in my letter of the 5th of November, which immediately followed.*

In the beginning of December, 1795, I received two letters from Mr. Pickering, who had been called by the president provisionally to the department of State, upon the resignation of Mr. Randolph; the first of which bore date on the 12th,† and the second on the 14th of September of the same year. By that of the 12th I was informed officially, and for the first time, that the treaty was ratified, although near a month had elapsed since the ratification. And by that of the 14th I was advised of an attempt made by the Captain of a British

Some particular expression used by Mr. Monroe, in urging this point, provoked on the part of J. Debry a reply, in which he dwelt at some length, and with some warmth too, upon the perfect competency of the French government to discern and decide upon what measures were proper to be taken by it under particular circumstances ; upon its uniform friendly disposition towards the United States and upon the evil effects that must result from a final adoption of the treaty with Britain.

Some hints too were given by J. Debry of a project which had been sketched for either extending or strengthening the existing connections between the two republics, which from its not being sufficiently matured, and owing to the other great labours of the committee had not been hitherto intimated to Mr. Monroe.

J. H. PURVIANCE.

Paris, Aug. 1796.

* Page 284.

† 285.

frigate, to seize Mr. Fauchet, the late French minister, within the limits of the United States, on his return home, as likewise of the measures taken by our administration to obtain of the British government adequate satisfaction to the United States for that violation of their rights.

The letter of the 12th of September, first above mentioned, which announced the ratification of the treaty, was written expressly for the purpose of designating to me the conduct I was to observe for the future, and in consequence of the ratification, in my deportment towards the French republic. It will therefore be proper to present here, concisely, the substance of that letter.

Mr. Pickering begins by observing, that as the treaty with Great Britain was ratified, and likely to become a compact between the two nations, it was proper I should become possessed of the opinions of our government, especially as it *appeared probable from my letters and the movements of disaffected persons in the United States*, that unfavorable impressions upon the government and people of France were to be apprehended. He adds, that from motives of friendship, and with a view to produce tranquillity and satisfaction, the administration had acted with the utmost candor towards the French government in every stage of the negociation; of which he gives the explanations that were made it of the motives of Mr. Jay's mission to London, whilst the negociation was depending, and the communication of the treaty to Mr. Adet, after the advice of the senate, and before the ratification by the president, as distinguished examples: Affirming that by the treaty itself the rights of France, whether founded in the laws of nations or treaties with the United States, remained unviolated and unimpaired. He then adverts to the late seizures by order of the British government, of provision vessels destined to France, as a circumstance likely to create inquietude, with a view to explain the 18th article; which he says had been misrepresented in America, as being unfriendly to France. The first paragraph of that article, he admits, had departed from the spirit of modern treaties, in allowing certain articles of merchandize, made free by such treaties, to be deemed contraband of war; but yet, he says, we have not departed from the spirit of the old law of nations, by admitting any article to be contraband which by that law was not. Britain he said would not relax; and therefore the best that could be done in that case, was to recite in the treaty the list of contraband designated by the old law *by way of advertisement to our maritime and commercial people, to admonish them of a risk which existed.* And

by the second paragraph of that article, which refers to the doctrine insisted on by England, that provisions may be contraband when destined to places not blockaded or invested, he says that without acknowledging her doctrine, we have guarded against its ill effects, by stipulating that when provisions and other articles, not generally contraband, shall become such, and for that reason be seized, they shall not be confiscated but paid for: A stipulation, he adds, it was evidently expedient for the United States to obtain, since by it our commerce is no longer left a prey to future spoliations without any definite means of liquidation or redress: That, whether it was best to oppose this pretention of England by force, was a question which pertained to the proper authorities of the United States to decide, who alone had a right to determine in what manner it was best to obviate an evil, and when it was proper to repel an injury: That as an independent nation we were the exclusive judges, and competent guardians of whatever concerned our interest, policy and honor; upon which subjects we would never ask the advice, or be governed by the councils, of any foreign nation whatever. He then proceeds to animadvert upon the impolicy of going to war with England; since thereby, he says, our commerce would be ruined, and thousands of our citizens be shut up or die in jails and prison-ships; our landed interest would suffer; agriculture decline; the sources of revenue fail, and other thousands of our citizens dependant on it, be involved in ruin; whence would follow the calamity of a direct tax to support the war, and happy should we be if our misfortunes ended there, or if we could contemplate only a foreign war, in which all hands and hearts might unite. He adds that by going to war, we should even hurt France, since our ports would be blocked up and our commerce at an end. That a fruitless diversion on the side of Canada would nearly bound our efforts; whereas, whilst we remained neutral, the aid we give her was immense; for as, by the clause in question, payment was stipulated for our provisions destined to France, when taken, being contraband, it was presumed our merchants would find therein a new stimulus for pushing their enterprizes to that country. He affirms however, that the late order for seizing did not proceed from that clause in the treaty; because the British had seized before the treaty, and because also the order applied to other neutral powers with whom there was no similar stipulation. Finally he proceeds to lay down certain positions to which, he says, I may give the solemnity of truths; such as, that the late negotiation did not proceed from any predilection in our government towards England;

that the remembrance of the last war, from which we just began to recover, made us deprecate whatever even seemed to look like a renewal of it; that there were many causes of difference between the United States and Great Britain, the adjustment whereof could not longer be delayed; that the commercial part of the treaty, though important, was a subordinate one, and not a new measure; that the government of the United States was sincerely friendly to the French nation.

My wish was to conciliate the French government towards the treaty which was now ratified, and most anxiously had I looked to the administration for the means of doing it: But no person will, I am persuaded, be able to point out any trait in the above letter that was likely to produce that effect: The eulogium bestowed by it, in the beginning, upon the candor of the administration, which it says was shewn towards the French government in every stage of the negociation, and whilst the treaty was depending, if admitted by that government, was not a thing for me to dwell on. Acts of candor when performed, if acknowledged by the party to whom they are said to be rendered, ought not to be boasted of by those who perform them. But if they are not acknowledged, and especially if the act upon which the pretension is founded is viewed in a different light, as there was reason to presume was the case in the present instance, then the pretension, if urged, is likely to produce an ill effect. This, therefore, was not a topic for me to open to the French government; nor did the commentary on the treaty which the letter contained, furnish one better adapted to the purpose. Indeed it professes to notice, and in fact notices only one article, the 18th, and in so doing, admits in effect all the objections that were urged against it: For it agrees that we had thereby not only yielded the modern rule of contraband, with respect to general kinds of merchandize, which by special treaties were made articles of free trade; but that we had also made an arrangement with England, whereby she was permitted to seize our provision vessels destined to France, whenever a crisis arrived which made it eligible for her so to do, upon the condition of paying us for the provisions thus seized a reasonable mercantile profit, including freight and the expences incident to detention. The explanation given of the second clause which respects provisions is, it is true, at first view, somewhat ambiguous, yet the true import of that explanation is as above. Indeed the disguise is so thin as to make it doubtful whether it was intended as a disguise; or rather whether the explanation was not given with a view to let it be seen, that such was the real object of that stipulation. *Anevil*, it says, was thereby *reme-*

died, which it was deemed better *thus to adjust than to repel by force*. Of what nature then was that evil? Did it consist in the seizure of provision vessels destined to a blockaded port? Did any one ever complain of such a seizure as an injury? Or did the administration contemplate war in case that point was not yielded to us? Besides, a mode was adopted, whereby the means of *liquidation* and *redress* were provided against future *spoliations*; what *spoliations*? Such seizures as were made of provisions destined to a blockaded port? Are such to be called *spoliations*? What was the point in controversy between the two countries, which it is said was thus adjusted? Was it not simply whether the pretensions of England, who claimed a right to seize provisions, as contraband, at pleasure, with a view to starve France, should be allowed? And were not those the *spoliations* for whose *liquidation* and *redress*, *definite means* were said to be provided? Or would the administration, in a demand of payment for those seizures, which took place after the treaty was concluded, distinguish the cases, and confine that demand to such vessels as were taken in their route to a blockaded port, saying, for these only will we be paid, but for the others, comprehending perhaps 99 out of 100, we will not—and thus revive the controversy which it was said was thus amicably closed? This, it is presumed, would not be done. This, therefore, was not a ground to conciliate upon, nor did the other parts of the letter furnish one that was more so; for the picture of the horrors of war which it presented, a picture common to all wars, was either altogether inapplicable, or if applicable, was so only by furnishing a reply to objections, which it was apprehended would be raised against the conduct of the administration; as was the declaration which the letter contained, that the late seizures were not made in consequence of that treaty; and as was likewise the argument it furnished, that the stipulation in the 18th article, which secured payment in case of seizure, would, by encouraging the enterprizes of our merchants to France, be for her benefit. These two latter topics were indeed delicate ones for me to touch on, especially as it was known that the other neutral powers complained that we had slighted, if not injured, them; and as it was likewise known by the example of the seizures in the spring, which ensued after the treaty was concluded, that if the practice was permitted, let the encouragement be what it might, Britain, preponderating at sea, might take almost every vessel that attempted to enter the French ports. And with respect to the declaration, that we were an *independent people* and had a *right, to decide for our-*

selfes, &c. so often repeated, I did not perceive how it applied at the time: there had been no question on that point that I knew of. France had attempted to impose on us no conditions; had asked of us no favours; on the contrary had shewn a disposition to render us many; under which circumstances we had made a treaty with Britain, which it was expected by the administration would produce an ill effect in France, but of which she had not yet complained: To prevent which and reconcile her to that treaty was the object, and to accomplish which required on our part wise and temperate councils. It became us with that view to convince her judgment, and to avail ourselves of her antient and friendly disposition towards us, not to provoke and irritate her passions. So that upon the whole, I did not perceive a single trait in this letter, which was written after long delay, and doubtless with mature deliberation, to designate the course I was to pursue in consequence of the ratification of the treaty, which breathed a spirit of conciliation; not even in that part which contained what was called positions to which I was instructed to give the solemnity of truths; for they also were calculated only to meet objections, and were otherwise expressed in such a tone of moderation, in point of friendly regard, as to have been well adapted to a communication in a like case to Russia, Turkey, or any other power with whom we had no political connection. On the contrary, that letter appeared to me, in its general tenor, to be dictated in a spirit of hostility, and more with a view to promote a rupture than prevent one.

To reconcile France to that treaty, I expected to have been authorised to explain to her government how long the commercial part was to remain in force; to state to it formally, that we were ready to enter into a new commercial treaty with her, and upon what principles, to be commenced either in Paris or Philadelphia: In which expectation, and with a view to the event of a ratification, I had told the administration, when I advised it of the ill-effect the treaty, whose contents were then known, had produced, that I should await its orders without any, the slightest, compromitment either of it or myself.* But nothing of this kind was to be found in that letter, nor in any which preceded or followed it. For all that the letters contained or attempted, which touched that subject, *was a justification of the administration, against the charge which was either raised or expected, of having evaded the overtures of France to treat on commerce, at a time when it was,*

* See Page 206.

admitted that an advance was made by the administration to treat on that subject, and a commercial treaty actually concluded by it, with Great Britain.* Still, however, my object was the same, which was to conciliate and prevent, if possible, a rupture between the two countries; and I was resolved, if I could derive no aid from the administration to promote that end, at least not to become its instrument in defeating it, if such was its view, which now seemed probable.

But it was my duty to answer this letter, which I did without a comment; for it was improper for me to censure and useless to advise. I simply acknowledged its receipt with an assurance that due attention should be paid to it, as occasion required; † to which I likewise added the fact, that symptoms of discontent were still seen, but whether they would assume an aspect more unfavorable I knew not: If they did I would immediately communicate it.

There was however one trait in that letter to which a more explicit answer became necessary. It had been intimated to me in that of June the 1st, that my instructions had not warranted the explanation I had given of the object of Mr. Jay's mission to London; which intimation was here repeated, in a manner it is true not so direct, but yet in a tone not less positive. I had avoided answering that passage in the former letter, from the consideration that, in the then state of our affairs, the interest of our country required cool and united councils, to extricate us from the difficult situation into which we were thrown. But by reviving and pressing this point upon me, it seemed as if the administration expected an answer, with design to ground on it some measure it was much bent on, in which view it was my duty to give one. I therefore answered that passage by observing, that my former communications had shewn that I had understood and acted on that part of my instructions differently from what it appeared by these letters, it was intended I should understand and act on it; whereby I was placed, by the course of events, in a very delicate and embarrassing dilemma, from which indeed I was not then perhaps relieved, though I hoped and thought I was. In my answer I stated the fact correctly, and left it to administration to pursue its policy.

* The tone of the new government was cool and reserved towards me. But my conduct was the same, because my object was the same. I shewed, it is true, no mark of undue condescension to that government, but yet I certainly omitted

no opportunity that occurred to conciliate its good will towards us. Unhappily however a very different spirit now displayed itself in our administration, whose measures obviously tended to promote a rupture.

Soon after the new government was organized I received a letter from the minister of foreign affairs, complaining of the misconduct of Mr. Parish, American consul at Hamburgh, in granting passports to English subjects as American citizens, and in being the agent of England for the equipment of the emigrants, desiring that I would communicate his note to our government with a request that Mr. Parish be removed.* Some considerable time before this I had earnestly recommended this measure to our administration, urging many considerations, suggested as well by some particulars of his own conduct, as by the circumstance of his being a British subject, why it was of importance to our interest and character as a separate and neutral people, that his commission should be revoked and committed to an American citizen.† Those considerations appeared to me to be so strong and pressing, that I concluded, as soon as they were brought to the view of the administration, he would be removed, and of course that the measure was already taken : In which expectation I answered the minister politely, intimating that I should communicate to our government the request of his in that respect, not doubting that it would be readily complied with. I should have stated, that I had anticipated the demand sometime before, and recommended the measure of my own accord; but I wished, now that it was asked by the French government, that it might appear to be granted at its request; an accommodation which I was persuaded would produce a good effect at the time. But I was soon advised by Mr. Pickering‡ that this British subject should not be compelled to yield his post to an American citizen, at my request, supported as it was by such weighty reasons. And the subsequent management of the affair upon the application of the French government shewed that the incident became rather a cause of irritation, than of conciliation with that government; notwithstanding the evident impolicy of such a procedure at the time, on account of the crisis to which we were brought : For although the administration (not being able to resist the objections to his continuance) did remove him, yet it was done in a manner so as to shew the French government, it was not done in compliance with its request.||

* Page 302. † 195. ‡ 319. || 368.

In January 1796, Mr. Randolph's pamphlet was received in Paris, which contained several of the President's letters, in some of which the French republic was spoken of in terms by no means respectful, and the friends of the French revolution in the United States reproached with being the friends "of war and confusion;" and shortly after this, was received also, the President's address to congress, upon the opening of the session, which in treating of the flourishing condition of the United States, contrasted *it* with the miserable, famished, and disorganized state of other powers. Much too was said in that address of the advantage of our accommodation with Britain, as likewise of the favourable disposition of that power towards us, without the slightest attention being shewn to the French republic; unless indeed it was referred to in the picture of distress above noticed, as was inferred by the French government, as I understood from good authority, at the time.

In the course of the year 1795, the French government had repealed, as already shewn, all the decrees which were passed during the mission of Mr. Morris, under which our trade had been harrassed, and had also, notwithstanding its suspicion of the contents of the British treaty, shewn a disposition to assist us in other cases, and had actually taken measures to assist us in those of Spain and the Barbary powers; yet none of those acts or of the disposition which produced them were even glanced at in the president's address to congress, although it was to be inferred, such notice would have produced a good effect, and although it was then as just as it was politic to notice them. This conduct in the administration was the more extraordinary, from the consideration that those decrees, by whose authority our trade was harrassed, with the harrassment itself, had been announced in former communications to the congress, when the British depredations were announced. It seemed natural therefore, now that so much was said upon the subject of our accommodation with England, that something should also be said of the repeal of those decrees by the French government, as of the proofs of friendship it had shewn us in other respects. But this was not done.

Under such circumstances it was impossible for me to succeed in conciliating the French government towards the British treaty, since my efforts were not only not seconded in that respect, by our administration, but absolutely counteracted by it. Nevertheless I continued to pursue the same line of conduct that I had done before, being resolved not to relax in my efforts, however unsuccessful I might be.

The sequel of my mission exhibits an interesting but painful spectacle, the distinguishing characteristics whereof are; the avowed decision of the French government to take some measure towards us in consequence of our treaty with England, as illustrated by many examples; with my efforts to prevent any such measure taken effect; and the attack made on me by our administration, upon prettexts equally unjust, frivolous and absurd. This part therefore I shall reduce to as small a compass as possible.

On the 15th of February 1796, I called on the minister of foreign affairs to state to him the distress of many of our citizens, merchants at Paris, on account of their claims upon the French government, with a view to engage his aid for their relief; but was immediately diverted from that object by information which he gave me, that the directory had at length made up its mind how to act in regard to our treaty with England; which it considered as having annulled our treaty of alliance with France, from the period of its ratification; and had appointed or intended to appoint an Envoy extraordinary, to repair to Philadelphia to remonstrate against it; adding that he was ordered to send me an official note upon the subject, which he should accordingly do. I expressed to him my great surprize and concern at the communication, and was disposed to enter immediately fully upon the subject, but was prevented by observing that he was upon the point of going out, whereupon I left him for the time.*

I attended him again on the day following, and remonstrated most earnestly against the measure, urging every argument that I could avail myself of to divert the government from it; offering to enter with him, whenever he thought fit, into a discussion of his objections to our treaty, or any other act of our government; assuring him that I should not only be always ready to enter with him into such explanations, but in the present instance should do it with pleasure, since by being possessed of our view of the subject, they would be better able to decide whether the complaint was well or ill founded, and of course how far it merited to be considered in that light. Upon this occasion, as upon the preceding one, the minister declined stating any specific objections to the treaty, or any other act of our government, and therefore I could make no specific defence. He admitted however that the objections I had urged to the measure had weight, and promised to communicate them to the directory, from whom, he doubted not, they would receive the attention they merited.†

* Page 310.

† 312.

Thus I continued without intermission my efforts to break this measure, repeating in my conferences with the minister of foreign affairs, who always heard me with attention, all the objections that I could urge against it; assuring him that it was not admitted by our government, that any deviation was made by our treaty with England, from those with France; and renewing my proposition to enter with him into a discussion of that point.* Finally upon hearing from him that the subject was still before the directory, and fearing the communication promised me might be deferred, till it would be too late for me to produce an effect upon the measure itself (if indeed it were possible in any case) I asked, and obtained an audience of the directory on the 8th of March, with a view at least to attempt it.† The result of this audience was a promise by the directory, that the order for sending an envoy extraordinary to the United States should be rescinded, and the minister of foreign affairs be instructed, to furnish me a copy, and discuss with me its several complaints against the conduct of our government, and that no measure should be taken upon the subject of those complaints, till after my answer was received and fully weighed.‡

Accordingly a summary of those complaints was presented me by the minister of foreign affairs in a paper bearing date on the 19th of March 1796. (19th of Ventose by the French calendar)|| to which I replied in one of the 15th of the same month.¶ Copies of these communications were transmitted to the Department of State in my letter of the 2d of May following.

About the 20th of April I received from the Department of State a letter of the 7th of January, transmitting the correspondence which took place between the President and the minister of France, when the flag of the French republic was presented by the former to the government of the United States. I received at the same time, from the Secretary of State, a letter to the directory of France, from the president of the United States, upon the same subject; which I was instructed to take the earliest opportunity to deliver. Accordingly I delivered that letter to the minister of foreign affairs on the next day, with a request that he would present the same to the directory as soon as possible. A few days after this I received from the minister a short note, informing me that he had submitted to the directory the dispatch which was addressed to it, by the president of the United States, in the name of the congress; and that the French government could not but receive

* Page 314. † 318. ‡ 316. || 321. ¶ 324.

with satisfaction whatever tended to confirm the bonds of friendship between the two nations.

From the period of my audience by the directory, and more especially after my communication with the minister of foreign affairs was handed in, I had frequent conferences with several of the members of the directory, in which I labored to promote the same object, and at one time, as I thought, with complete success; being informed by a member, upon one of those occasions, that the directory had done nothing towards us in regard to its complaints, and he presumed would not. The purport of this communication was immediately made know to the department of State in my next letter of the 12th of June 1796.

But this prospect was soon changed; for on the 25th of the same month I received a letter from the minister of foreign affairs requesting information, whether the intelligence which the gazettes announced, of the house of representatives having agreed to carry the treaty into effect, was to be relied on, and in case it was, asking further in what light they were to view that event, before he called the attention of the directory to those consequences resulting from it, which specially interested the French republic. I replied to the minister, that with respect to his first interrogatory, whether the house of representatives had passed a law to carry the treaty into effect, I could give him no authentic information, having no official advice upon it. And with respect to the second, that as I had already answered, and as I supposed to his satisfaction, his several objections to that treaty, to which I had received no reply, it was impossible for me to enter again, under such circumstances, into that subject. But if there were any points in the communication I had made him, upon which he thought I had not been sufficiently explicit, and he would be pleased to state them to me, that I would immediately notice them more particularly than I had done, and I hoped satisfactory.*

On the 7th of July following I received another note from the minister, stating certain objections to the British treaty, to which I made a reply on the 14th of the same month.†

In the beginning of August 1796, the directory recalled Mr. Adet and appointed a gentleman to take his place, with the grade of chargé des affaires; who, I concluded, from particular considerations, could not be well received by our government. As soon therefore as I heard of this appointment, I remon-

strated strenuously against it, with the French government, and with success; for it was revoked.*

In the beginning of August, I saw in the gazettes a communication from the minister of foreign affairs to Mr. Barthelemy, the ambassador of France to the Swiss Cantons, announcing an arreté of the directory, by which it was determined to act towards the commerce of neutral powers in the same manner as those powers permitted the English government to act towards them. In consequence I applied also to the minister for information relative to that arreté; from whom I received a general answer only, corresponding in sentiment with his letter above mentioned, to the ambassador of the republic at Basle.

About the last of August, I heard that Mr. Adet, (who had heretofore been reinstated when the arretés for appointing an envoy extraordinary, and chargé des affaires were respectively revoked) was now recalled and no successor appointed to him. I was advised, at the same time, that any further application from me to the French government would be improper; since it would not only prove fruitless, but most probably produce an ill effect.†

Near seven months had now elapsed since the minister of foreign affairs communicated to me the discontent of the directory, on account of our treaty with England, and its decision to make the same known to our government, by an envoy extraordinary, to be dispatched to the United States; in the course of which time I had not received a single line from the Department of State (a letter of the 7th of January excepted, which applied to another subject) although I had regularly informed it of every incident that occurred; and although the crisis was a very important one, requiring the profound attention of the administration. In the course of this time, therefore, I was left alone by the administration, to oppose the discontent of France, not only unaided, but likewise under circumstances otherwise the most unfavourable. At this period however, which was in the beginning of September 1796, I received a letter from the Secretary of State of the 13th of June preceding, communicating to me the high dissatisfaction of the president on account of my conduct respecting the British treaty. To that letter I returned an answer of the 10th of the same month.‡

On the 12th of Oct. following I received a letter from the minister of foreign affairs, announcing the recall of Mr.

* See Page 361. † 363. ‡ 365.

Act, with the motive of it. To that letter I replied in one of the 12th of October.

In the beginning of November 1796, I received a letter from the Secretary of State of the 22d of August, announcing my recall by the president of the United States. In this letter the Secretary refers me for the motives of that measure, to his former letter of the 13th of June. He adds, however, in *this* that the president was further confirmed in the propriety of that measure by other concurring circumstances, but of which he gave no detail. To this letter I made no reply until after my return to Philadelphia, in July 1797.

About the 10th of November 1796, General Pinckney arrived in Paris with my letters of recall, by which my mission to the French republic was terminated. I presented him immediately to the minister of foreign affairs for recognition, and at the same time, delivered to the minister a copy of my letters of recall, requesting that I might have a day assigned me for taking leave of the French government as soon as convenient.

It gives me pleasure to remark here, that the conduct of General Pinckney, upon that occasion, which was one of peculiar delicacy to me, was in every respect candid, manly, and honorable.

On the first of January 1797, I took leave of the executive directory of France, in an audience specially assigned me for the purpose, and sailed with my family for the United States, as soon as the season would permit.

Upon leaving France I committed my letter-book and other public documents to the care of Mr. Prevost who had acted with me in the character of Secretary of Legation, a young man of merit and talents, well qualified to serve his country in a more important trust.

The above is a plain narrative of the facts and incidents attending my mission, from its commencement to the close; upon which I will make a few comments.

The present situation of America is understood by every one, because almost every one is some way or other affected by it. And what it has been in every preceding stage of this European war, is equally well known, for the same reason. The picture she has exhibited is an uniform one. Its characters are strong, but yet not diversified. In her foreign relations nothing is to be seen but the waste and pillage of her commerce, sometimes by several powers, always by some one power; and little less than anarchy at home; for the seeds of discontent, jealousy and disunion have been scattered

throughout these States, in the course of a few years past, with a wasteful hand. By what means then was this state of things produced, and why was it produced ?

It is well known, that the executive administration has heretofore guided all our measures ; pursuing, in many instances, a course of policy equally contrary to the public feeling, and the public judgment: And it was natural to expect that that administration should now be held highly responsible for the embarrassments it has thus brought upon our country. But by this attack on me, a new topic has been raised for discussion, which has drawn the public attention from the conduct of the administration itself ; for in consequence the only question now before the public seems to be, whether I have merited the censure thus pronounced upon me, by the administration, or have been dealt hardly by. But this was a mere political manœuvre, intended doubtless to produce that effect.

Whether I have performed my duty to my country, as I ought to have done, in the various, contradictory, and embarrassing situations, in which I was placed by the administration, is a point upon which my country will determine, by the facts and documents submitted to it. Upon this point I fear not the result, because I have the utmost confidence in the wisdom and rectitude of a public decision, when facts are before the public ; and because, knowing what my conduct was, I can always find a consolation in my own breast, if the contrary should be the case. But whether the administration has performed its duty to the public, by a proper discharge of the great trust reposed in it, during this awful crisis of human affairs, is a question of much greater importance ; which ought to be well understood. I am happy however in reflecting that these two points are altogether unconnected with, and, independent of each other ; since the establishment of misconduct on *its* or *my part*, is no proof of the good conduct of the other party. To each a separate duty was allotted, and the question is entirely a distinct one, how each performed that duty, in its appropriate sphere.

Nor should I, in respect to myself, add a word to the light which those documents contain, being willing so far as the propriety of my own conduct is involved, to submit the point to the judgment of my countrymen, upon the documents alone. But the administration has attempted by this attack on me, to shield itself from the censure it justly apprehended, in the hope of throwing the blame on others ; a finesse which ought not to succeed. It is proper therefore to strip

the administration of a mantle thus artfully drawn over it : With which view I propose to examine briefly the charge alledged against me by the administration, with the evidence by which it supports it : Not for the sake of shewing, I repeat again, that my conduct did not merit the attack, but that the administration knew it, at the time it made the attack.

The charge which the administration alledged against me is to be found in a letter from the Secretary of State, referred to above, of the 13th of June 1796 ;* the purport of which is, that I with-held certain documents from the knowledge of the French government, illustrative of the views of ours, respecting the British treaty, although I knew the French government was dissatisfied with that treaty, and had likewise acknowledged the receipt of those documents : and the testimony adduced to support this charge consists of the three following circumstances: First the importance of the documents themselves, which were deemed conclusive, and sufficient to have silenced the French government had they been thus applied : The second, the delay of that government to express its discontent, for sometime after I was possessed of those documents ; notwithstanding such discontent was known to exist on account of the British treaty, and was likewise much aggravated by other causes ; and the third, the success which attended my efforts to remove that discontent, after the 15th of February 1796, when *it* was announced to me by the minister of foreign affairs, as heretofore shewn ; whence it was inferred, that had I begun in time, the affair would have been smothered in embryo.

This is the charge, and this the testimony by which it is supported. The secretary adds, it is true, in his letter of the 22d of August following, that there were other concurring circumstances, which confirmed the president in the propriety of the measure he had taken towards me ; but these he did not *then* communicate, nor has he *since*, though called on to do it ; nor has he communicated other testimony to support the charge already raised. To that charge therefore with the testimony adduced, I shall confine my comments.

It is proper to observe here that the documents, the withholding which the secretary lays to my charge, were two letters, one from Mr. Randolph of the 14th of July, 1795, communicating his correspondence with Mr. Adet, upon the subject of the treaty, received about the beginning of October following, and one from Mr. Pickering of the 12th of Sept.

* Page 364.

received sometime about the last of November, or beginning of December, of the same year ; for these were the only letters which I received from the department of State on that subject, after the treaty was submitted to the senate ; or indeed before, except such as shewed the fluctuating state of the executive mind respecting the ratification ; which letters could not be referred to as explaining the views of the executive, since then it had none. To these two letters therefore the charge solely applied.

It is also proper to observe here, that the first of these letters was (as heretofore stated) put into the hands of the committee of public safety, as soon as it was received, a suitable occasion permitting it ; that the second was not then received, and of course could not be thus applied ; though indeed had it been then received, I do not think I should have thus applied it, for reasons heretofore given. It will however be seen by a perusal of my discussion with the minister of foreign affairs, that I omitted nothing which either of those papers contained, which could be turned to any account. The first of these facts, it is true, was not then known to the secretary ; for as the object, at that time contemplated by the committee, was not pursued, on account I presume of the change of government which took place immediately afterwards in France, and might possibly never be revived, I declined mentioning it to our administration, from motives of delicacy to both governments ; wishing, if to be avoided, that no such evidence of the discontent of France, should appear in my correspondence. The omission however to communicate it to the administration, was no ground whereon to charge me with a contrary line of conduct, against the force of so many other facts and circumstances as were at the time in its possession. The other fact could not then be known, because the decision respecting me was hurried, before a copy of that discussion was received. The cause of such precipitation, at that precise time, and under the then existing circumstances, the administration ought to explain.

But I will proceed to examine the secretary's charge with the testimony by which he supports it ; the first item of which is, the importance of the documents in question ; which he says were sufficient to have silenced the French government, had they been thus applied, whence he infers that they were not thus applied. In noticing this piece of testimony, I do not wish to be understood as derogating from the merit of those documents : I will admit, at least for argument-sake, that the letters referred to are well written. But I deny that the con-

clusion drawn from that circumstance is a just one; or in other words that the continuance of the discontent of the French government, after I received those documents, is a proof that the light they contained was withheld. It is well known, that every free government is the proper guardian of whatever concerns its interest, policy, or honor, upon which subjects it takes its own counsel, and pursues its own measures;* nor does it often happen, that such government regards the counsel of any foreign nation whatever. I believe no instance can be adduced, by the administration, of any counsel being asked or attention shewn on its part to the counsels of the French nation, from the commencement of the administration to the present day, nor to the counsels of a minister of that nation; one instance only excepted, in which his counsel was asked, but immediately rejected. Why it was asked it will be easy to explain, as it likewise will be to shew, that it was determined to reject it before it was asked. This sentiment then, which is a just one, ought to be admitted as reciprocal; but although the secretary is firm and peremptory, when he applies it in our favor, yet he denies its existence as applicable to the French republic. He supposes after those letters were written, that the affair with France was settled; that we were to hear no more of her discontent about the British treaty, or if we did, that I was to be responsible for it. In short he seems to have concluded, from the moment those letters were forwarded to me, that he had put that nation under my care, and if I did not keep it in order, that I merited censure. This indeed were an easy way to settle our controversies with foreign powers, and fortunate should we be if we could thus adjust them. But how happens it, that none of our controversies have been thus adjusted? Many letters have been written; much labour bestowed in that line by the secretary himself, and still we are involved in many controversies; none of which, even of the old ones, seem yet to be finally settled, though the opportunity for it was a most favourable one; whilst others are accumulated. I think therefore it must be admitted, that the continuance of the discontent of the French government, after those documents were received, however important they might be, was no proof that any light they contained was withheld by me.

And with respect to the second circumstance relied on;---the delay of the French government to bring forward its complaints, for sometime after I received the documents in ques-

* See Secretary's letter, page 287.

tion, notwithstanding its discontent, &c. I cannot conceive how that can be urged in support of the charge. If that argument was found, it would follow that if that government had brought forward its complaints sooner, my conduct would have been correct ; whilst on the other hand, if it had never complained, there would have been a complete demonstration of the charge. It is impossible to reason on an argument so absurd. I shall only observe upon it, that had I been called on for a proof of my activity and zeal, to preserve tranquillity between the two countries, I should have urged the delay of the French government to complain, discontented as it was, as a most satisfactory one. Indeed I do not know, before the government did complain, how I could produce any other.

And the third circumstance relied on, to prove misconduct in me, seems to be equally absurd. I believe it is the first time that the success of exertions was ever urged as a proof that none were made, or that they were not made in due time. Such success, where the object was a desirable one, is generally received by the party for whom, or under whose auspices, it is rendered, with pleasure ; and obtains for the party rendering it, some degree of acknowledgment. But that it should be adduced as a proof of previous misconduct, and treated as such, is an act of which I think there is no example. Ardent must have been the pursuit of some political object thereby counteracted, or keen and violent the passions which otherwise hurried the administration on, or surely it would not have used such an argument. I will ask, and the question ought to be attended to, whether those efforts, whose details were then before the administration, contained the evidence of a mind indifferent to the object in view ? Whether the success which attended them, whereby the course of the French government was actually checked and suspended, for about seven months, was a proof that that government thought me insincere, or that the counsel I gave was unworthy its attention ?

I might observe, that for this argument to have weight, my success ought to have been complete. But unfortunately this was not the case as is too well known. My efforts produced an effect for a certain term only : A sufficient one however to have permitted the administration to interpose, and assist me. It did interpose, it is true, but it was not for that purpose. Had my success been complete we should have witnessed an extraordinary political phenomenon, that of a

public minister furnishing, by successful services to his country, testimony to an administration hostile to him, to prove that he had rendered none, and was a delinquent. Such an argument is too absurd to be dwelt on. It requires only to be understood, to be despised.

Whether I pursued the wisest course that could have been pursued, to prevent the complaints of that government and to reconcile it to our treaty with England, I will not pretend to say. The course which I pursued was a plain one: It was to prevent, by informal explanations, &c. the necessity of an official discussion; a practice I had been long in the habit of, as was well known to the administration. As soon however as the French government took up the subject officially, I was likewise prepared in that line to oppose, and did oppose, its measures; nor did I relax in my efforts, till they were evidently fruitless.

From the period when the treaty was concluded in Nov. 1794 till February 1796, when the French government first took up the subject as above stated, fourteen months had elapsed; and from that period to the time when the first act respecting the commerce of the neutral powers was passed, near seven months more had elapsed; forming in the whole about twenty one months, before any step was taken: Nor did it take a single step until after the treaty was ratified by the president and senate, and the house of representatives had likewise given its sanction, by the passage of a law to carry it into effect. Yet it was known that the French government was jealous of the object of the mission which produced that treaty from the period of its nomination; that it suspected the treaty was founded upon principles injurious to France before its contents were seen; and that those suspicions were confirmed when they were seen.

Whether I contributed in any degree to divert the French government from opposing the ratification of that treaty, or taking its measures after the treaty was ratified, I will not pretend to say. This is submitted for others to determine. If I did, I am not boastful of it; since as our administration did not take advantage of that delay to heal the breach in time, it was of no real service to my country. Well however do I know, after the French government had rejected my counsel, and taken a different course, that I was viewed by that government for sometime in a questionable light: Nor were the motives of my conduct justly appreciated by it, until after I was censured by our own.

Such were the facts and documents in possession of the administration, when it pronounced a censure on my conduct. Can any one then believe, that the motive assigned for it was the true one? And if it was not, what was the true one?

To determine this latter point some attention is due to the conduct of the administration through every stage of this European controversy; for the whole of its conduct forms a system, which ought to be taken together, to judge correctly of its motives in any particular case. To do justice to the subject, in this view, would require more time and attention than I am now able to bestow on it. I will however notice some facts and circumstances, which being duly appreciated, cannot otherwise than facilitate the labors of others, in making a more accurate research.

The first is, the appointment of a person as minister plenipotentiary to France, in the commencement of the French revolution, who was known to be an enemy to that revolution, and a partizan of royalty; whereby the name and weight of America (no inconsiderable thing at that time in that respect) was thrown into the scale of kings, against that of the people and of liberty.

Second, the continuance of that person in office, till every misfortune predicted of his mission, by those who opposed it in the senate, and disapproved it throughout the community at large (which latter description was a very numerous one) was nearly verified; the connection between the two countries having gradually diminished, as the French revolution advanced, till at the time of his recall it was reduced to a slight bond indeed: In the course of which time the embargo at Bordeaux was imposed, and continued, till removed upon the application of Mr. Fenwick, consul at that port; for our minister was not attended to: Sundry articles of our treaty of commerce were likewise set aside by formal decrees and many spoliations in consequence made upon it.

Third, the final removal of that person, not from a regard to the public interest which was known thus to suffer, but because it was demanded by the French government. Upon which occasion it was intimated to him, that his removal was attributable to that cause only; which intimation became known to the French government.

Fourth, my appointment to the French republic with the circumstances attending it: It being known that, with other members of the senate, I had opposed in many instances the measures of the administration, particularly in that of the mission of Mr. Morris to France, and of Mr. Jay to London; from

the apprehension those missions would produce, in our foreign relations, precisely the ill effect they did produce.

Fifth, the instructions that were given me to explain to the French government the motives of Mr. Jay's mission to London, not as an act of condescension on our part, at the demand of the French government, but of policy, *to produce tranquillity, and give satisfaction*, whilst the negociation was depending; by which instructions, if the existence of a power to form a commercial treaty was not positively denied, yet it was withheld, and the contrary evidently implied.*

Sixth, the strong documents that were put in my possession at that period, by the administration, of its attachment to France and the French revolution; so different from any thing before expressed.

Seventh, the resentment shewn by the administration on account of the publication of those documents; it having been intended they should *produce* their effect, *at the same time*, and yet be kept *secret*,†

Eighth, the approbation bestowed on me by the administration when I made vehement pressures on the French government for a repeal of its decrees, under which our commerce was harrassed, exhibiting a picture of its spoliations, &c. and the profound silence and inattention of the administration when those decrees were repealed, and a disposition shewn by that government to assist us in other cases ‡

Ninth, the power given to Mr. Jay to form a commercial treaty with England, in the midst of a war, by a special mission, at a time when no such advance was made to treat on that subject with France, and her advances at best coolly received.

Tenth, The withholding from me the contents of that treaty until after the meeting of the senate; notwithstanding the embarrassment to which I was, in the interim, personally exposed, in consequence of the explanations I had before given to the French government, by order of the administration, of the motives of the mission which produced it; which deportment proves clearly that the administration did not deal fairly with me from the commencement.

Eleventh, the submission of the treaty to Mr. Adet after the advice of the senate, before the ratification of the president; at a time when, as it appears by satisfactory documents, it was resolved to ratify it;|| which submission therefore was

* Page 2 and 86. † 115. ‡ 156. || 157. Also Mr. Randolph's pamphlet.

probably not made to obtain the aid of Mr. Adet's counsel, in which light it would have been improper, especially as it had been withheld from his government; but to repel an objection to the candor of the administration, in its conduct in preceding stages.

Twelfth, the character of the treaty itself, by which (according to the administration) we have departed from the modern rule of contraband, with respect to many articles made free by modern treaties; have also made an arrangement, by which, whilst it professes not to have sacrificed the right, has actually and avowedly sanctioned the doctrine and practice of England, in seizing provisions at pleasure, as contraband of war; and have likewise yielded the principle, so important to America, that free ships shall make free goods.

Thirteenth, the conduct of the administration after the ratification of the treaty, being in all cases irritable towards France; although it was apprehended the ratification would embroil us with that power; and although at a moment, when it was proposed to decline the ratification, a most soothing and humiliating apology was drawn, to be presented to the English government, for declining so to do.*

Fourteenth, I should not notice my recall, being in itself a circumstance too *trivial* to merit attention, if it were not for the state in which our affairs were in my hands, when my recall was decided; being at a period when it appeared I had succeeded in quieting the French government for the time, and was likely to do it effectually.† To be left there to that precise time, and then withdrawn and censured, seems to authorise a presumption, that I was left there in the first instance in the expectation I would not defend that treaty, and in consequence whereof a rupture would ensue, and recalled afterwards, when it was known I had done my duty, and was likely to prevent a rupture.

Due attention to the above facts and circumstances in connection with others that will readily occur, will, I am persuaded, contribute essentially to explain the views and policy of the administration, through the whole of this European war; the effects whereof have been so injurious to our national character, as likewise to the agricultural and commercial interests of these States.

I have omitted to comprize in the above enumeration, the nature of this great crisis itself, because *that* being a general topic, will be embraced in the mind of every one, who

* See again Mr. Randolph's pamphlet. † Page 365.

examines with care the incidents attending it, in its relation to every country. It is known to have been produced by a war undertaken on the part of all the kings of Europe against France, with a view to prevent the success of a revolution in that country, in favor of liberty. Whether the nature of this crisis contributed in any degree to influence our measures, by repelling us from France and attracting us towards England, is submitted for others to determine. That it ought to have done so, will I presume not be avowed *publicly* by any one.

Whether the motives which governed the administration in its policy through this crisis are justifiable, is a point upon which the public and posterity will decide. I am happy however to observe, that no imputation can be raised against the administration, against which it may not vindicate itself, if its conduct admits of vindication.

Be this however as it may, it is nevertheless obvious, that the policy itself, was, at best, shortsighted and bad. To stand well with France through the whole of this European war, was the true interest of America; since great advantage was to be derived from it in many views, and no injury in any. What would have been the condition of these States had France been conquered, and the coalesced powers triumphed, it is easy to perceive. Had the duke of Brunswick, for example, reached Paris, and the kings of Europe, after distributing among themselves such portions of that flourishing country as suited each, dictated to the residue such form of government as they pleased (if indeed they had not annihilated the name of France as they have done that of Poland) was it to be presumed that America, who, as the parent of liberty, was likewise the parent of the French revolution, would have escaped their notice? Or was it likely, that by a variance with France, preserving as we do, and I trust always shall preserve, our free elective government, that we should have stood well with them, hated as we know we are by one of the parties, who cannot view us in any other light than that of rebels? Fortunately the successes of France permitted us to have only a glimpse of the danger which menaced us. But the existence of such a danger, or even the probability that it existed, was a sufficient motive why we should preserve a good understanding with the power, by whose successes it was sure to be averted.

In many other views too, it was of importance for us to stand well with France. We had claims to adjust with other powers, the favourable adjustment whereof depended much

on her success: For if she was conquered, it did not seem likely that we should accomplish any of our objects with those powers; nor could we profit of her success otherwise than by preserving a good understanding with her.

Besides our footing with France was in itself highly advantageous to us. By our treaty of 1778, we enjoyed the privilege of the modern law of nations in our intercourse with her enemies. By it our ships gave protection to the goods of her enemies, and to all kind of merchandize in our trade with her enemies, strict contraband of war only excepted. The beneficial effects too of this stipulation, which was respected by France at the time that treaty passed, was most sensibly felt upon our navigation and commerce; for in consequence of it, we were then become the principal carriers of the enemies of France. It was therefore of importance to us to continue this stipulation in force, and the obligation upon the administration, to be attentive to the means of preserving it, was the stronger from the consideration, that by the misconduct of the administration, it had been already once lost in the course of the present war; as from the further one, that as Britain did not recognize the same principle, the observance of it by France could not otherwise than be hurtful to her.

And in contemplation of future and more beneficial commercial arrangements, it was of great importance for us to stand well with France. The fertility and extent of her colonial possessions, with the amount and value of their productions, surpassing by far those of any other European power, (to say nothing of the importance of the commerce of France herself) are facts well understood by our commercial people. It was highly for the interest of America to improve our footing in that commerce, and easy was it to have done so, had due attention been paid to the necessary means of improving it.

These were considerations which ought to have been attended to, and would have been attended to by the administration, if some more powerful motive had not interposed to prevent it.

Nor was it difficult to stand well with France through the whole of this crisis, and profit of her fortunes, without the smallest possible loss or even hazard. The demonstration of this position is complete; for we know that although our ground was once lost by the administration, in the course of the present war, it was nevertheless afterwards recovered; although it is much easier to preserve a friendship, whilst at the height, than to recover it after it is gone. And how was

it recovered? Not by any address on my part, for I pretend to none: But simply by presenting to the French government the documents that were committed to my care for that purpose; illustrative of the good wishes of our administration for the French nation, and its revolution; and likewise by supporting those documents by my own conduct; by which however I was known, as a spectator only, not as a partizan in their affairs; for I do not recollect that I gave an opinion upon a single point, with which I had no concern, whilst I was there; nor did I ever associate with their parties, or with any description of persons as a party. All Frenchmen were kindly received at my house: In short I did nothing but mind my own business in a plain and simple way; which thousands of my countrymen might have done equally well, perhaps much better. And of her disposition to extend to us the aid of her fortunes, in every line where they could aid us, sufficient proof was likewise given.

Nor did we hazard any thing in any view by standing well with France, whilst much was to be gained. The administration admits she did not wish us to embark in the war. Perhaps this was admitted to preclude the claim of merit for not wishing it. But the fact in my opinion was so. I speak with confidence of the views of the French government, in that respect, after I got there; especially whilst our footing was most cordial. Of the motive I say nothing; but I think it not only due to candor, but sound policy, to admit in all cases the motive to be good, when the effect was salutary.

Such was the situation of America in the commencement of this war! Such our standing with the French nation, so advantageous in itself, so easy to preserve! And yet all these advantages have been thrown away, and instead of that secure and tranquil state, which we might have enjoyed throughout, we have been likewise plunged, so far as the administration could plunge us, into a war with our ancient ally, and on the side of the kings of Europe contending against her for the subversion of liberty!

Had France been conquered, to what objects that administration would have aspired, has fortunately, by her victories, been left a subject for conjecture only. Of its zeal to push things to a dangerous extremity we have many proofs: Of its moderation, none.

We have heard much of intrigues, between the people of these States and the government of France. But free people seldom intrigue together; because there is no motive for it. Between the leaders however of a free people, and the neigh-

bouring monarchs, such intrigues have often taken place, and always will take place, whilst liberty is odious to monarchs, and men can be found base enough to betray her. If we read the history of the ancient Grecian republics, we shall see many examples of intrigues between the kings of Persia and the leaders of those republics; whilst none are to be seen of combinations between the people of any of those republics and the free governments of another, except of the purpose of overthrowing their tyrants. But in America we have no tyrant except that of prejudice, which time and information alone will overthrow.

The contrast between the situation we might have held, through the whole of this war, and that which we have held, is a striking one. We might have stood well with France, avoiding all the losses we have sustained from her; enjoying the benefit of the principles of free trade, and even appeared as an advocate for those principles, and without going to any extremity: We might have preserved our ancient renown; bought at a great expence of blood and treasure, in a long war, in a contest for liberty, and even appeared as a defender of liberty, and without fighting for her: We might too, in my opinion, have commanded a better fortune in our negotiation with Britain, and only by availing ourselves, in a suitable manner, of the fortunes of France. And instead of a situation so advantageous, so honorable, so satisfactory to our country, what is that into which our government has conducted us? Our navigation destroyed, commerce laid waste and a general bankruptcy threatening those engaged in it; the friendship of a nation lost, the most powerful on earth, who had deserved better things from us, and had offered to place us, our vessels, and commodities on the footing of its native citizens in all its dominions; war hanging over us, and that not on the side of liberty and the just affections of our people, but of monarchy and our late most deadly foe; and we are made fast, by treaty and by the spirit of those at the helm, to a nation bankrupt in its resources, and rapidly verging either to anarchy or despotism. Nor is this all. Our national honor is in the dust; we have been kicked, cuffed, and plundered all over the ocean; our reputation for faith scouted; our government and people branded as cowards, incapable of being provoked to resist, and ready to receive again those chains we had taught others to burst. Long will it be before we shall be able to forget what we are, nor will centuries suffice to raise us to the high ground from which we have fallen.

INSTRUCTIONS

AND

CORRESPONDENCE, &c.

INSTRUCTIONS.



Philadelphia, June 10th, 1794.

SIR,

You have been nominated as the successor of Mr. Gouverneur Morris, in the office of Minister Plenipotentiary of the United States of America to the Republic of France, from a confidence, that, while you keep steadily in view the necessity of rendering yourself acceptable to that government, you will maintain the self-respect due to our own. In doing the one and the other of these things, your own prudence and understanding must be the guides; after first possessing yourself of the real sentiments of the Executive relative to the French nation.

The President has been an early and decided friend of the French Revolution; and whatever reason there may have been, under our ignorance of facts and policy, to suspend an opinion upon some of its important transactions; yet is he immutable in his wishes for its accomplishment; incapable of assenting to the right of any foreign prince to meddle with its interior arrangements; and persuaded that success will attend their efforts; and particularly, that union among themselves is an impregnable barrier against external assaults.

B

How the French government, when it shall be no longer attacked by foreign arms, will ultimately settle, is a point, not yet reduced to any absolutely certain expectation. The gradation of publick opinion from the beginning of the new order of things to this day; and the fluctuation and mutual destruction of parties, forbid a minister of a foreign country to attach himself to any as such, and dictate to him not to incline to any set of men, further than they appear to go with the sense of the nation.

When the executive provisory council recalled Mr. Genet, they expressed a determination to render it a matter of eclat, as you have seen; and at the same time disavowed all his offensive acts. Nothing having been forwarded to us, relative to Mr. Morris, which requires a disavowal, you will, if you should be interrogated as to any particular feeling prevailing with the President upon the occasion, refer to the letter from the Secretary of State to Mr. Fauchet, as explanatory of the President's promptness to comply with their demand.

From Mr. Genet and Fauchet we have uniformly learned, that France did not desire us to depart from neutrality; and it would have been unwise to have asked us to do otherwise: For our ports are open to her prizes, while they are shut to those of Great Britain; and supplies of grain could not be forwarded to France with so much certainty, were we at war, as they can even now, notwithstanding the British instructions; and as they may be, if the demands to be made upon Great Britain should succeed. We have, therefore, pursued neutrality with faithfulness; we have paid more of our debt to France than was absolutely due; as the Secretary of the Treasury asserts; and we should have paid more, if the state of our affairs did not require us to be prepared with funds for the possible event of war. We mean to continue the same line of conduct in future; and to remove all jealousy with respect to Mr. Jay's mission to London, you may say, that he is positively forbidden to weaken the engagements between this country and France. *It is not improbable, that you will be obliged to encounter, on this head, suspicions of various kinds. But you may declare the motives of that mission to be, to obtain immediate compensation for our plundered property, and restitution of the posts.* You may intimate by way of argument, but without ascribing it to the government, *that, if war should be necessary, the affections of the people of the United States towards it, would be better secured by a manifestation, that every step had been taken to avoid it; and that the British nation*

would be divided, when they found that we had been forced into it. This may be briefly touched upon as the path of prudence with respect to ourselves; and also with respect to France, since we are unable to give her aids of men or money. To this matter you cannot be too attentive, and you will be amply justified in repelling with firmness any imputation of the most distant intention to sacrifice our connection with France to any connection with England. You may back your assertions by a late determination of the President to have it signified abroad that he is averse to admit into his public room, which is free to all the world besides, any Frenchmen, who are obnoxious to the French Republic; although, perhaps, it may again happen sometimes, as many go thither, whose names and characters are utterly unknown.

It is very probable that our country will become the asylum for most of the French who expatriate themselves from their native land. Our laws have never yet made a distinction of persons, nor is such a distinction very easy. Hence some of those who are perhaps attainted in France, have thrown themselves upon the protection of the United States. This will not, as it surely ought not to be misinterpreted into any *estrangement from the French cause*. You will explain this, whensoever it shall be necessary.

If we may judge from what has been at different times uttered by Mr. Fauchet, he will represent the existence of two parties here irreconcilable to each other. One republican, and friendly to the French revolution; the other monarchical, aristocratic, Britannic, and anti-Gallican; that a majority of the House of Representatives, the people, and the President, are in the first class; and a majority of the Senate in the second. If this intelligence should be used, in order to inspire a distrust of our good will to France, you will industriously obviate such an effect:—and if a fair occasion should present itself, you may hint, that the most effectual means of obtaining from the United States, what is desired by France, will be by a plain and candid application to the government, and not by those insidious operations on the people, which Genet endeavoured to carry on.

The information, which we possess of France, before and in the early stages of the revolution, must be considerably changed at this day. You will, therefore, transmit to us, as soon as possible, an account of the navy, the agriculture, and the commerce of France. It is desirable too to know, upon what footing religion really stands. These, however, are general objects. But we are particularly concerned to understand the true state of

the different sects of politics. Are there any of the old friends to the ancient regime remaining? Are any new friends created by the course of things? Are the Brissotines extinguished? Are the Dantonists overwhelmed? Is Robespierre's party firmly fixed? Is he capable from talents and personal fortitude to direct the storm? Is his character free from imputation, as to money? Is he friendly to the United States? How is the executive power administered now? What new accession of authority may have lately accrued to the committee of public safety? What relation do the twelve commissions of administration, which have been lately established, bear to that committee? What is the true cause of the various changes, which have lately taken place, by one party rising upon the ruins of another? What assurance can be had, that any party can so long maintain itself, as to promise stability to the government? Are the people sincerely affectionate to their present government; or are they restrained by the terror of the revolutionary tribunal, or by the danger of having their country dismembered by the coalesced princes? What species of executive will probably be at last adopted? What characters bid fair to take the helm of affairs, after the great destruction and banishment of able men? These and many other questions of the same nature ought to be solved, to enable us to see things in a true light. For without doubting the solidity of the French cause, we ought not to be unprepared for any event. If, therefore, any very momentous turn should arise in French affairs, upon which the conduct of our government may depend, you need not hesitate at the expence of an advice boat, if no other satisfactory opportunity should occur. But it is the wish of the President, that at the end of every week, you commit to a letter the transactions of it, and embrace every proper conveyance, by duplicates, and, in great cases, even by triplicates.

Should you be interrogated about the treaty of commerce, you may reply that it has never been proposed to us by Mr. Fauchet. As to any thing else concerning it, you will express yourself not to be instructed; it being a subject to be negotiated with the government here.

In like manner, if a treaty of alliance, or if the execution of the guarantee of the French islands, by force of arms, should be propounded, you will refer the Republic of France to this side of the water. In short, it is expected, with a sure reliance on your discretion, that you will not commit the United States, by any specific declarations, except where

you are particularly instructed, and except too in giving testimony of our attachment to their cause.

There is reason to believe, that the embargo, when it was first laid, excited some uneasy sensations in the breast of the French minister. For it so happened, that at the moment before its operation, pretty considerable shipments of flour were made to the British West-Indies, and a snow, called La Camille, laden with flour, for France, was arrested near New-Castle, on the Delaware, after she had quitted the port of Philadelphia. But you know enough of the history of this business, to declare, that the embargo was levelled against Great Britain, and was made general, merely because, if it had been partial against her, it would have amounted to a cause of war; and also, that it was not continued, merely because it was reputed to be injurious to France. My letters to Mr. Fauchet will explain the case of La Camille; and all his complaints about the embargo.

Should our embargo be brought up, the way will be easy for our complaint against the embargo of Bourdeaux. At any rate, you will remonstrate against it, and urge satisfaction for the sufferers. You will receive all the papers, which have come into the department of state, relative to those matters; and you will besides open a correspondence with the captains and persons interested at Bourdeaux, in order to obtain more accurate information.

But you will go farther and insist upon compensation for the captures and spoliations of our property, and injuries to the persons of our citizens, by French cruizers. Mr. Fauchet has been applied to; and promises to co-operate for the obtaining of satisfaction.

The dilatoriness with which business is transacted in France will, if not curtailed in the adjustment of these cases, produce infinite mischief to our merchants. This must be firmly represented to the French Republic; and you may find a season for intimating, how unfortunate it would be, if so respectable a body, as that of our merchants should relax in their zeal for the French cause, from irritation at their losses. The papers on this head are a statement of French cases, Mr. Fauchet's letters to me, and the documents themselves.

You know the extreme distress in which the inhabitants of St. Domingo came hither after the disasters of the Cape. Private charity, and especially at Baltimore, most liberally contributed to their support. The Congress at length advanced 15,000 dollars with a view of reimbursement from

France. This subject has been broken to Mr. Fauchet here, and he appears to have been roused at the idea of supporting by French money French aristocrats and democrats indiscriminately. Both he and his nation ought to be satisfied, that in the cause of humanity, oppressed by poverty, political opinions have nothing to do. Add to this, that none but the really indigent receive a farthing. It was the duty of the French Republic to relieve their colonists labouring under a penury so produced; and as it would have been too late to wait for their approbation before the payments were decreed, it will not be deemed an offensive disposal of French money, that we now make a claim for repayment. If Mr. Fauchet has power upon the subject, an attempt will be made for a settlement with him here; but that being very doubtful, it will forward the retribution by discussing it in Europe.

You will be also charged with the demands of several American citizens for bills of exchange drawn in the French West-Indies on France. The report of a committee of them, Mr. Fauchet's letter, and the vouchers, which you will carry, leave no doubt of your success. But if there should be any difficulty, do not fail to communicate it to the Secretary of State instantaneously. The sooner, therefore, the affair is entered upon the better.

It is important, that no public character of the United States should be in France, which is not acceptable. You will inquire into the consuls; and inform, how they are approved, and whether they be deserving. *Although the President will avoid, as much as possible, to appoint any obnoxious person Consul, it may happen otherwise, and must be considered as accidental.* Mr. Alexander Duvernat goes for Paris in the quality of Vice-Consul, and Mr. Fauchet said that he had nothing to object to him.

Consulates are established in every port of France, where they are conceived useful. But perhaps you may find it advisable to mark out some other places for such offices.

It is recommended, that no business of consequence, be carried on verbally or in writing, but in your own language.

The minister of each nation has a right to use his national tongue, and few men can confide in their exactness when they do business in a foreign one. But great care is necessary in the choice of interpreters, when they are to be resorted to.

It is a practice of great utility to note down every conversation of consequence, which you hold, immediately after retirement; and the Executive will expect to receive copies of what shall be thus written.

A communication with our other ministers in Europe, under proper caution, may be advantageous.

Let nothing depend upon verbal communication which can be carried on in writing.

To conclude.—You go, Sir, to France, to strengthen our friendship with that country; and you are well acquainted with the line of freedom and ease, to which you may advance, without betraying the dignity of the United States. You will shew our confidence in the French Republic, without betraying the most remote mark of undue complaisance. *You will let it be seen, that in case of war, with any nation on earth, we shall consider France as our first and natural ally.* You may dwell upon the sense which we entertain of past services, and for the more recent interposition in our behalf with the Dey of Algiers. Among the great events with which the world is now teeming, there may be an opening for *France to become instrumental in securing to us the free navigation of the Mississippi.* Spain may, perhaps, negotiate a peace, separate from Great Britain, with France. If she does, the *Mississippi may be acquired through this channel, especially if you contrive to have our mediation in any manner solicited.*

With every wish for your welfare and an honourable issue to your ministry,

I am, Sir, &c.

Signed, EDMUND RANDOLPH.

CORRESPONDENCE.

FROM MR. MONROE TO THE SECRETARY OF STATE,
PHILADELPHIA.

Paris, August 10th, 1794.

SIR,

ON the 31st ultimo I arrived at Havre, and on the second instant at this place. Mr. Morris was, upon my arrival, from town, but he came in as soon as advised of it. By him I was presented to the commissary of foreign affairs, who assured me that as soon as the form of my reception should be settled, he would apprise me of it, but that this would unavoidably create a delay of some days, as well from the present derangement of their affairs on account of the

late commotion of Robespierre, as from the necessity of making some general regulation in that respect, it being the first instance in which a minister had been addressed to the Republic. I assured him I should wait with pleasure the convenience of those whom it concerned, and since which I have not seen him, but hear that the subject is under consideration of the committee of public safety, and will probably be concluded in a day or two.

I heard at Havre of the crimes and execution of Robespierre, St. Just, Couthon and others of that party, and should have written you on the subject from that port, but that I knew I could give only the current report, varying, perhaps, in every sea-port town, and which might reach you before my letter. I hastened, therefore, to Paris, in the hope of acquiring there immediately more correct information of facts, as well as of the causes which gave birth to them; but even yet, I suspect, I am on the surface only, for it will take some time to become well acquainted with the true state of things on a theatre so extensive and important.

That Robespierre and his associates merited their fate, is a position to which every one assents. It was proclaimed by the countenances and voices of all whom I met and conversed with from Havre to Paris. In the latter place, where the oppression was heaviest, the people seem to be relieved from a burden which had become insupportable. It is generally agreed that, from the period of Danton's fall, Robespierre had amassed in his own hands all the powers of the government, and controuled every department in all its operations. It was his spirit which ruled the committee of public safety, the Convention, and the revolutionary tribunal. The Convention was soon found, after the abrogation of the constitution to be too unwieldy, and slow in its deliberations, to direct the great and complicated mass of executive business; this had given birth to two committees, the one of *salut public*, the other of *sureté generale*, into whose hands the whole was deposited. To the former was assigned the management of foreign affairs, the direction of the armies, &c. to the latter, the interior administration, and they were respectively enjoined to render an account monthly of their transactions to the Convention. It was intended that these committees should be independent of each other, and both under the immediate controul of the Convention; but by the distribution of their powers, this design was defeated, for such an ascendancy was thereby given to the committee of public safety, that the other became its instrument, acting only

under its authority. The principal members of the Convention were placed in these committees, and Robespierre, who was by far the most influential one, was assigned to the committee of public safety. It soon happened in the course of the administration, from the very extensive patronage, comparative weight of character, and immense power, that this committee gained likewise an entire ascendancy in the Convention, and controuled all its measures. Nor was the organization of the revolutionary tribunal more favourable to the independence of that branch, and of course to public and personal liberty. It was equally dependent on, and the creature of, this committee. Robespierre therefore had become omnipotent. It was his spirit which dictated every movement, and particularly the unceasing operation of the guillotine. Nor did a more bloody and merciless tyrant ever wield the rod of power. His acts of cruelty and oppression are perhaps without parallel in the annals of history. It is generally conceded, that for some months before his fall the list of prisoners was shewn him every evening, by the President of the revolutionary tribunal, and that he marked those who were to be the victims of the succeeding day, and which was invariably executed. Many whole families, those under the age of sixteen excepted, were cut off upon the imputation of conspiracies, &c. but for the sole reason that some members had been more friendly to Brissot, Danton, &c. or had expressed a jealousy of his power. His oppression had, in fact, gained to such an height, that a convulsion became unavoidable. The circumstances which immediately preceded and brought on the crisis are differently recounted. Some make him the active party and believe that he had arranged with the commune and the guards of the city, the plan of a general massacre of his enemies in the Convention. But I am of opinion, that these projects, for they were certainly contemplated, proceeded from despair, and were adopted at the moment only, as the means of defence. The time and manner of the explosion which was in the Convention support this idea. It had been intimated some days before by him or St. Just, that other conspiracies threatened the safety of the Republic and which ought to be laid open. The communication was given in such a manner as to satisfy the audience, that he meant Tallien and some other members of the house. And, in the moment of the explosion, St. Just had commenced a developement of this pretended conspiracy, leading to a denunciation of these members. If the power of Robespierre remained, it was well known that death and denunciation

went hand in hand. To repel it by a counter one was the only remaining hope. It could, in no event, produce a worse effect. Tallien therefore rose and interrupted St. Just, demanding: "How long shall we be abused with denunciations of pretended conspiracies? 'Tis time to draw the veil from perfidy so flagrant." St. Just was silenced and driven from the tribune. Robespierre ascended and made many efforts to speak in vain. The whole Convention rose and cried out with one voice, "down with the tyrant." He stood like one amazed and stupified, staring at the Convention with a countenance equally bespeaking indignation and terror; deprived of the power of utterance, but yet afraid to descend. As soon as the convention saw its strength, he was arrested and sent a prisoner to the committee of public safety; but by this time, his immediate coadjutors had taken the alarm, and were endeavouring to excite commotions in the city in his behalf. Henriot, the commander of the guard, with a few followers, pursued and rescued him from the committee. He then took his station with the commune, heretofore the theatre of his power, and began to harangue the people, and with some effect; whilst Henriot, in the character of general, was busied in assembling the guards in the place before the Hall of the Convention, with intention to fire on it. There was at this moment an awful pause in the affairs of the Republic. Every thing was suspended, and the public mind greatly alarmed and agitated. The situation of the Convention was truly interesting. They knew that all the appointments were conferred by Robespierre, that he had been long deemed a patriot, and still possessed, by means of affection or terror, a wonderful influence over the citizens at large; and more immediately in their presence, they saw Henriot at the head of a respectable force menacing an attack. But that body was not unmindful of its dignity or its duty upon that great occasion: On the contrary, it displayed a degree of fortitude and magnanimity, worthy of those who aspire to the exalted character of defenders of their country. It calmly entered upon the subject of defence; declared Robespierre, St. Just, Couthon, Henriot, and the commune without the protection of the law; appointed a commandant of the guard, and sent deputies to the sections to admonish them of their danger, and warn them to stand at their posts in defence of their country. A moment's reflection settled the public mind. The people beheld on the one side, the Convention labouring to save the Republic, and on the other, Robespierre and his associates in open rebellion. Hesitation was at an end. The

citizens rallied immediately to the standard of their sections, and Robespierre and his associates were taken at the same time to prison, and on the next day to execution, amidst the rejoicing and acclamations of the people.

Many believe that Robespierre aimed at despotic power, and sought to establish himself upon the throne of the Capets, in the character of protector, or some such character; and, in pursuit of this idea, say, that he counted upon the support of the armies, and particularly the army of the North, and had otherwise arranged things in such order as to favour the project. What his views of ambition and carnage were, I know not: That they had been great was certain; but that he had concerted any plan of permanent establishment for himself, or been promised such support, even where his influence was greatest, cannot be true, nor is it warranted by circumstances. If he was not promised the support, it is not probable he had such a scheme; and that it was not promised, must be obvious to those who take into view all the circumstances which merit consideration. It will be observed, by those who wish to form a just estimate of the future course and fortune of this revolution, that from its commencement to the present time, no person ever raised himself to power but by the proof he had furnished of his attachment to the cause, by his efforts to promote it; and that from the moment doubts were entertained of the solidity and purity of his principles, did his influence begin to decline in equal degree. This was seen in the instances of La Fayette, Dumourier, Brissot, Danton, and finally, Robespierre himself; two of whom, though popular generals, were abandoned by the armies they commanded; the former compelled to seek refuge in a foreign country, and the latter in the camp of the enemy; and the others, tho' eminent in the civil department, were, upon like charges, condemned by the public voice to the same fate. In fact, the current of sentiment and principle has been such, that no character or circumstance has been able to obstruct its course: on the contrary, it has swept every thing before it. Can it be presumed then, and especially at this moment, when the ardour of the nation, inflamed by conquest, is at the height, that any respectable number of citizens, of any description, would turn aside from the great object of the revolution, to countenance, in any individual, schemes of usurpation and tyranny? Did not the late event, even in Paris, disprove it, where Robespierre had most influence? There was no opposing force but what depended on public opinion, and every thing tended to favour his views.

From due consideration of all circumstances, I am led to ascribe the sanguinary course of Robespierre's proceedings to a different cause. I consider the contest between him and Danton, as a contest for power between rivals, having the same political objects in view. The former was jealous of the latter, and having gained the ascendancy, and the defective organization of the government permitting it, by means of his influence in the judiciary, he cut him off. But the arrestation and condemnation were regular, according to the forms prescribed by law, and were on that account submitted to. The public, however, saw into the oppression, and disapproved of it; for at the moment when Danton was led to execution, there was a general gloom upon the countenances of the citizens. They all attended at the place in hope of hearing the explanation: They heard none and retired dissatisfied. Robespierre saw this, and in it the foreboding of his own ruin. From that moment he saw nothing but conspiracies, assassinations, and the like. He was surrounded by informers, and had spies and emissaries in every quarter. By means of severity he sought his safety, and therefore struck at all his enemies in the hope of extirpating them. But it happened in this as it always happens in like cases, every new execution increased them tenfold. It progressed thus till it could be no longer borne, and terminated as I have already stated.

It may be asked: Is there any reason to hope that the vicious operation of the guillotine will be hereafter suspended? May not factions rise again, contend with and destroy each other as heretofore? To this I can only answer, that the like is not apprehended here, at least to the same extent; that the country from Havre to Paris, and Paris itself, appears to enjoy perfect tranquility; that the same order is said to prevail in the armies, who have addressed the Convention, applauding its conduct, and rejoicing at the downfall of the late conspirators. Some circumstances, it is true, have been seen indicating a suspicion, that all Robespierre's associates had not suffered the fate they merited, and ought not to escape; but latterly this has abated, though it is possible it may revive again. In general it may be remarked that, until peace and a well organized government shall be established, no sure calculation can be formed of what may happen in this respect. I am happy, however, to observe, that the subject of reform in the committees and revolutionary tribunals (and which was taken up immediately after the late commotion subsided) is now under discussion, and that the

propositions which are depending, are calculated to preserve, as far as possible, the controul of the Convention over the former, and promote the independence, and otherwise improve the organization, of the latter.

But are not the people oppressed with taxes, worn out by continual drafts to reinforce the armies; do they discover no symptoms of increasing discontent with the reigning government, and of a desire to relapse again under their former tyranny? What will become of the army at the end of the war? Will it retire in peace, and enjoy, in tranquility, that liberty it has so nobly contended for; or will it not rather turn its victorious arms against the bosom of its country? These are great and important questions, and to which my short residence here will not permit me to give satisfactory answers. Hereafter I shall be able to give you better information in these respects. At present I can only observe, that I have neither seen nor heard of any symptom of discontent shewing itself among the people at large. The oppression of Robespierre had indeed created an uneasiness, but which disappeared with the cause. I never saw in the countenances of men more apparent content with the lot they enjoy, than has been shewn every where since my arrival. In the course of the last year the Convention recommended it to the people, as the surest means of support for their armies, to increase the sphere of cultivation, and from what I can learn, there never was more land under cultivation, nor was the country ever blessed with a more productive harvest. Many fathers of families, and a great proportion of the young men, are sent to the frontiers, and it was feared it would be difficult to reap and secure it; but the women, the boys and the girls, even to tender age, have supplied their places. I saw this with amazement upon my route from Havre to this place, and am told 'tis generally the case. The victories of their armies are celebrated with joy and festivity in every quarter, and scarce a day has latterly passed without witnessing a deputation to the convention, and often from the poorest citizens, to throw into its coffers some voluntary contribution for the support of the war. These are not symptoms of disgust with the reigning government, and of a desire to change it!

With respect to the present disposition of the army, or what it may be at the end of the war, I can say less as I have not seen it. At present the best understanding subsists between it and the Convention. It is possible that in the course of service, if the war should last long, many of its members may acquire habits unfriendly to retirement; but in an army

composed of the yeomanry of the country, as this is, that sentiment will be less apt to gain ground than in any other. Besides, is it not presumable, that the spirit which has raised and influenced this, will continue to produce some effect, even in its final disposition. If, however, there should still remain a considerable force on foot, which could not be prevailed on to retire; fond of conquest, of rapine, and of plunder, can it be supposed that its parent country will furnish the only and most grateful theatre to act on? Will no other portion of Europe present before it a more productive field, whereon to gratify ambition, avarice, or revenge? There must always remain in the breasts of the soldiers some sentiment in favour of their relatives; and the fortunes of the wealthy will be pretty well broken and dissipated here by the course of the revolution. The example of the Roman Empire is always before those, whose apprehensions are greatest upon this head: They see there nothing but kindred armies fighting against each other, and tearing the commonwealth in pieces: But they make no allowance for the great difference in the state of things. The armies of the Empire were raised in the conquered provinces, and composed of foreigners: They, therefore, had no attachment to Rome. The State of the country, and the spirit of the age, are likewise different. The dissensions of Rome were the convulsions of a corrupt and worn out monarchy, verging rapidly to a decline. But here the case is different; the armies are otherwise composed, and the spirit of the age, that of a rational and philosophical reform, seeking to establish the public liberty, and sweeping before it old and corrupt institutions which were no longer tolerable.

I have thus gone into this interesting subject from a desire to give the best view in my power of the late commotions, and present state of the internal affairs of this country, because I well know its importance to my own. It will be my object to improve my knowledge of it, and keep you correctly informed in every particular, and as regularly as opportunities offer.

With respect to the state of the war, I can only say, in general, that the armies of France have prevailed over the combined forces every where. The commencement of the campaign was favourable to them; but the action which took place in July, near Charleroy, on the plains of Fleurus, between Cobourg, at the head of about 100,000 men, and Jourdan, with an inferior force; and which terminated, after the severest conflict and great slaughter on both sides, in favour

of the French arms, has evidently given them the superiority ever since. This was certainly one of the most important and bloody actions which has been fought in the course of the present war. Cobourg, unwilling to retire before the republican troops, had gathered together all his forces, with design to hazard a general action, and in the hope of regaining Charleroy. He attacked them at every point, about five in the morning, formed in the field and ready to receive him. Three times he drove them back within their entrenchments, reluctant to yield the day: But they sallied out a fourth time, with still greater impetuosity, shouting through all their ranks, "*we will retreat no more;*" and, singing the Marseillaise Hymn, and other patriotic songs, advanced with an ardour which was irresistible. The attack succeed. Cobourg, with his routed army, fled before them, leaving on the field, according to the French accounts, about 10,000 slain. The French, it is supposed, lost about 15,000 men. They have taken in the course of the present campaign, Ostend, Mons, Tournay, Namur, Tirlemont, Landrecy, Anvers, Ghent, Charleroy, Brussells, Quesnoy, Louvain, Liege, Nieuport, Cadfanct (at the mouth of the Scheldt) with some other places lying in that quarter. Cobourg at present occupies the ground in the neighbourhood of Maestricht, and endeavours to cover the frontier of Holland. It is, however, daily expected another action will take place, which may settle the fate of the low countries. Condé and Valenciennes, you observe, are left in the rear; they are yet possessed by the combined forces, but are invested, and 'tis thought will soon fall.

Their success in Spain has likewise been great. They are in possession, at present, of the whole of the province of Guypuscoa, Bilboa excepted. Many prisoners and immense parks of artillery have been taken from the Spaniards. The detail I cannot give you with any kind of accuracy, but will endeavour to comprise it in my next.

There has been but one sea action, and which was between the French and English fleets, in the course of the present summer. The French had 26 ships, and the English 28. The English, having the wind, bore down on the French, and separated 7 ships from their main force. Of these they took 6 and sunk the other. It is said there never was a more bloody, or better fought action on both sides. It lasted three days. On the fourth, the British filed off with the ships they had taken, and sailed into port. The French, having offered to renew the combat, likewise retired after-

wards to Brest, whither they conducted the merchantmen, convoyed from America, and which was the object of the contest, safe.

I shall write you again in a few days, and I hope to inform you of my reception. For the present, therefore, I shall conclude, with assurances of the great respect and esteem with which I am, &c.

FROM MR. MONROE TO THE SECRETARY OF STATE,

PHILADELPHIA.

Paris, August 25, 1794.

SIR,

IN my last of the 11th instant, I mentioned to you that I had been presented to the commissary of foreign affairs, for reception, and was assured he would lay the copy of my credentials, which I left with him, before the committee of public safety, under whom he acted, and to whom it more particularly belonged to appoint the time and regulate the mode. After this, I waited eight or ten days without progressing an iota; and as I heard that a minister from Geneva had been here about six weeks before me, and had not yet been received, I was fearful I might remain as long, and perhaps much longer, in the same situation. It was obvious that the public boards had been so much shocked by the late disaster, that from a variety of considerations, some public and others private, they could scarcely move forward upon any subject. At the same time, I had reason to believe it was the general desire that I should be received as soon as possible, and with every demonstration of respect for the country I represented. Upon the most mature consideration, therefore, I thought it incumbent on me to make an effort to break through these difficulties, and expedite my reception. The Convention, I knew, possessed the sovereign authority of the nation; and I presumed, that by addressing myself to that body, and especially in the present state of things, I should not only avoid the censure of any subordinate department, but perhaps relieve it from an unpleasent dilemma, and at the same time, make an experiment of the real disposition of this country towards my own. The latter consideration I

deemed of some importance, as it would ascertain to me a fact which might have influence upon my conduct on other occasions. I therefore addressed a letter to the President of the Convention, of which the inclosed No. 1 is a copy, and was happy to find it was well received; for it was immediately taken, by a member present, to the committee of public safety, by whom a report was made in two hours afterwards to the Convention, and a decree adopted by the latter body, of which No. 2 is a copy, for my reception by the Convention itself at two the following day. I deemed it my duty to avail myself of this opportunity to dissipate, if possible, by the documents in my possession, impressions which had been made and were still making, of the unfriendly disposition of the American government towards the liberty and happiness of the French nation. At the same time, therefore, that I presented my credentials, I laid before the Convention the declarations of the Senate and House of Representatives, as conveyed by the President through the Secretary of State, with an assurance that I was authorised to declare, that the President was actuated by similar sentiments. The communication was received in a manner very interesting, and which furnished, at the same time, the strongest proof of the affection entertained by the French nation for the United States of America. The inclosed No. 3 is a copy of my address to the Convention and of the President's answer. Every department has since shewn the strongest disposition to prove its attachment to their ally, by embracing every opportunity which the slightest incident has offered. A few stores brought for the accommodation of my family, in the ship in which I sailed, were arrested in Havre, because no declaration was rendered of them by the captain. This was casually heard by the committee of public safety, and, without any intimation from me, by their order, restored. But being desirous more formally to testify their regard, the commissary of foreign affairs announced to me yesterday, that he was instructed, in the name of the Republic, to appropriate a house for my use, as minister of the United States, of such accommodations and in such part of the city as I would designate. The inclosed No. 4 is a copy of his letter and of my reply. These latter acts, it is true, may be deemed in some measure acts of ceremony. So far, however, as they furnish any indication of the disposition of this country towards our own, it is a favourable one.

I found here many of my countrymen, captains of vessels, who were taken at sea and brought in, in derogation of the

Treaty of Amity and Commerce. I intend immediately to make an effort to have that order rescinded, and compensation rendered for the injury sustained. I have written to Mr. Fenwick, who is best acquainted with the affair of the Bourdeaux embargo, to request his attendance here, or to forward such documents as will enable me to pursue, with suitable information, the interest of those who were affected by it. And I shall likewise bring forward, at the same time, the claims of others of our citizens for supplies rendered to the government of St. Domingo.

The position of the armies is nearly the same as when I wrote you last. No action has been fought, nor any other material change taken place since.

A perfect tranquility too continues to reign throughout the Republic. The execution of Robespierre and his associates, has produced the same effect every where. Every person seems to be freed from an oppression which was really terrible, and the more so, because it was sanctified by the authority of the people, and covered with the mask of patriotism. It is, however, said, that others who have been equally guilty (for Robespierre, who was a timid man, could not have made the majority of the committee vote against their own opinion) will probably yet be brought to justice. Of this I shall be able to give you better information in my next.

The reform, which I suggested in my last, contemplated in the organization of the committees and revolutionary tribunal, is now completed or nearly so. I will enclose you copies of the decrees in my next. A great number of prisoners have been discharged, who were confined here and in other parts of the Republic, in consequence of a decree, that those should be liberated who were committed upon suspicion only. It was, however, greatly unfortunate, that Robespierre was not cut off sooner; for it is most certain, that his last days were stained with some of the most innocent blood of the Republic.

The vice-consul has not yet arrived, and, to be candid, I doubt, when he does, whether he will be received or not. A native of this country is, at the present moment, unable to render any service to our own, although he may have always resided here, and his political principles been unquestionable. But one who has been absent, is considered, if not an emigrant, at best indifferent, and perhaps unfriendly, to the revolution, and therefore odious. If this gentleman has arrived,

I think it probable he is confined at the port where he landed. I deem this unfortunate, for there is much business which properly belongs to the consular department here; as all the commercial affairs of the Republic are transacted here.

No. I.

To the President and Representatives of the French People
in Convention assembled.

Paris, August 13th, 1794.

CITIZEN PRESIDENT,

HAVING lately arrived here with authority from the President of the United States of America to represent those States, in quality of Minister Plenipotentiary with the French Republic, and not knowing the competent department, nor the forms established by law, for my reception, I have thought it my duty to make known my mission immediately to the representatives of the nation. To them it belongs to fix the day, and prescribe the mode, by which I shall be acknowledged as the representative of their ally and sister Republic. They will, therefore, have the goodness to designate to me the department to which I shall present myself, to be recognized in the character I bear.

I make to you this communication with the greater pleasure, because it gives me an opportunity, not only to testify to the representatives of the free citizens of France, my own devotion to the cause of liberty, but of assuring them, at the same time, and in the most solemn manner, of the profound interest, which the government and people of America take, in the liberty, the success and prosperity of the French Republic.

No. II.

As soon as this letter was read in the National Convention, it was decreed that it should be inserted in its procès verbal, and in the bulletin of correspondence, and that a copy of it, with one of the letter of credence which accompanied it, should be sent to the committee of public safety, with instructions to report thereon during the present sitting; and

afterwards, upon the report of the committee, the Convention decreed as follows :

ART. I. The Minister Plenipotentiary of the United States shall be introduced into the bosom of the Convention, tomorrow at two o'clock P. M. he shall then explain the object of his mission ; and after which the President shall salute him fraternally, in testimony of the friendship which unites the American and French people.

ART. II. The President of the Convention shall write a letter to the President of the United States, and transmit to him the process verbal of this sitting.

AT two the next day, Mr. Monroe was accordingly introduced into the Convention, by the minister of foreign affairs, accompanied by several of the members of the committee of public safety, and upon which occasion he presented the following address in English, with a translation of it into French, and which latter was read by a secretary.

No. III.

Citizens President and Representatives of the French People.

My admission into this assembly, in presence of the French nation (for all the citizens of France are represented here) to be recognized as the representative of the American Republic, impresses me with a degree of sensibility which I cannot express. I consider it a new proof of that friendship and regard which the French nation has always shewn to their ally, the United States of America.

Republics should approach near to each other. In many respects they have all the same interest ; but this is more especially the case with the American and French Republics. Their governments are similar ; they both cherish the same principles, and rest on the same basis, the equal and unalienable rights of man. The recollection too of common dangers and difficulties will increase their harmony and cement their union. America had her day of oppression, difficulty, and war ; but her sons were virtuous and brave, and the storm which long clouded her political horizon, has passed, and left them in the enjoyment of peace, liberty, and independence. France our ally and our friend, and who aided in the contest, has now embarked in the same noble career ; and I am happy to add, that whilst the fortitude, magnanimity, and heroic

valour of her troops command the admiration and applause of the astonished world, the wisdom and firmness of her councils unite equally in securing the happiest result.

America is not an unfeeling spectator of your affairs at the present crisis. I lay before you, in the declarations of every department of our government, declarations which are founded in the affections of the citizens at large, the most decided proof of her sincere attachment to the liberty, prosperity, and happiness of the French Republic. Each branch of the Congress, according to the course of proceeding there, has requested the President to make this known to you in its behalf; and in fulfilling the desires of those branches, I am instructed to declare to you, that he has expressed his own.

In discharging the duties of the office which I am now called to execute, I promise myself the highest satisfaction; because I well know, that whilst I pursue the dictates of my own heart, in wishing the liberty and happiness of the French nation, and which I most sincerely do, I speak the sentiments of my own country; and that, by doing every thing in my power to preserve and perpetuate the harmony so happily subsisting between the two Republics, I shall promote the interest of both. To this great object, therefore, all my efforts will be directed. If I can be so fortunate as to succeed in such manner as to merit the approbation of both Republics, I shall deem it the happiest event of my life, and retire hereafter with a consolation which those who mean well and have served the cause of liberty, alone can feel.

Mr. Monroe delivered, at the same time, the following communications from the department of state, with similar translations, and which were read in like manner.

To the Committee of Public Safety of the French Republic.

Philadelphia, June 10th, 1794.

THE undersigned Secretary of State of the United States of America has the honour of communicating to the committee of public safety for the French Republic, that on the 24th day of April, 1794, it was ordered by the Senate of the United States, that the letter of that committee, addressed to Congress, be transmitted to the President, and that he be requested to cause the same to be answered on behalf of the Senate, in such manner as shall manifest their sincere friendship and good will for the French Republic.

In executing this duty, which has been allotted by the President to the department of State, the liberal succours which the United States received from the French nation, in their struggle for independence, present themselves warm to the recollection. On this basis was the friendship between the two nations founded; on this basis, and the continued interchanges of regard since, has it grown; and, supported by these motives, it will remain firm and constant.

The Senate, therefore, tender to the committee of public safety, their zealous wishes for the French Republic; they learn with sensibility every success which promotes the happiness of the French nation; and the full establishment of their peace and liberty will be ever esteemed by the Senate as a happiness to the United States and to humanity.

(Signed)

EDM. RANDOLPH,
Secretary of State.

To the Committee of Public Safety of the French Republic.

Philadelphia, June 10th, 1794.

THE undersigned Secretary of State for the United States of America, has the honour of representing to the Committee of Public Safety for the French Republic, that, on the 25th of April, in the present year, it was unanimously resolved, by the House of Representatives, as follows:

“That the letter of the Committee of Public Safety of the French Republic, addressed to Congress, be transmitted to the President of the United States, and that he be requested to cause the same to be answered on behalf of this House, in terms expressive of their sensibility for the friendly and affectionate manner, in which they have addressed the Congress of the United States; with an unequivocal assurance, that the Representatives of the people of the United States, have much interest in the happiness and prosperity of the French Republic.”

The President of the United States has assigned this honourable and grateful function to the department of state. In no manner can it be more properly discharged, than by seizing the occasion of declaring to the ally of the United States, that the cause of liberty, in the defence of which so much American blood and treasures have been lavished,

is cherished by our Republic with increasing enthusiasm : That under the standard of liberty, wheresoever it shall be displayed, the affection of the United States will always rally : And that the successes of those who stand forth as her avengers will be gloried in by the United States, and will be felt as the successes of themselves and the other friends of humanity.

Yes, Representatives of our ally, your communication has been addressed to those who share in your fortunes, and who take a deep interest in the happiness and prosperity of the French Republic.

(Signed)

EDM. RANDOLPH.
Secretary of State.

*Answer of Merlin de Douai, President of the Convention, to
Mr. Monroe.*

THE French people have not forgotten that it is to the American people they owe their initiation into the cause of liberty. It was in admiring the sublime insurrection of the American people against Britain, once so haughty, but now so humbled ; it was in taking themselves arms to second your courageous efforts, and in cementing your independence by the blood of our brave warriors, that the French people learned in their turn to break the sceptre of tyranny, and to elevate the statue of liberty on the wreck of a throne, supported, during fourteen centuries, only by crimes and by corruption.

How then should it happen that we should not be friends ? Why should we not associate the mutual means of prosperity that our commerce and navigation offer to two people freed by each other ? But it is not merely a diplomatic alliance : It is the sweetest fraternity, and the most frank at the same time, that must unite us ; this it is that indeed unites us ; and this union shall be forever indissoluble, as it will be forever the dread of tyrants, the safeguard of the liberty of the world, and the preserver of all the social and philanthropic virtues.

In bringing to us, citizen, the pledge of this union so dear to us, it could not fail to be received with the liveliest emotions. It is now five years since an usurper of the sovereignty of the people, would have received you with the pride which belongs alone to vice ; and he would have thought it much to have given to the minister of a free people, some

tokens of an insolent protection. But to-day the sovereign people themselves, by the organ of their faithful representatives, receive you; and you see the tenderness, the effusion of soul, that accompanies this simple and touching ceremony. I am impatient to give you the fraternal embrace, which I am ordered to give in the name of the French people. Come and receive it in the name of the American people, and let this spectacle complete the annihilation of an impious coalition of tyrants.

No. IV.

*The Commissary of Foreign Affairs to the Minister Plenipotentiary
of the United States of America.*

Paris, 4th Fructidor, 2d Year of the Republic.

CITIZEN,

AFTER having received the Representatives of our ally, with the most distinguished marks of affection, the government of the Republic desires to do every thing which depends on it to make his residence in France agreeable to him. With this view the Committee of Public Safety authorises me to offer you, in the name of the Republic, a national house for your accommodation. I pray you, therefore, to make known to me your intentions in this respect; as likewise to designate the quarter which will be most agreeable to you.

*The Minister Plenipotentiary of the United States of America
To the Commissary of Foreign Relations for the French
Republic.*

Paris, August 22, 1794

CITIZEN,

I WAS favoured yesterday with yours of that date, informing me, that the Committee of Public Safety had authorised you, in the name of the Republic, to appropriate a house for my use, as minister of their ally, the United States of America, and in such part of the city, as I should designate. I have received this communication with peculiar satisfaction, because I consider it as a proof of

the sincere regard which the committee entertain for their ally, whose servant I am. But, upon this occasion, I am not permitted to indulge, in any respect, my own opinion or feelings. The Constitution of my country, an extract from which is hereunto annexed, has prescribed a line of conduct to me, and which it is my duty to follow. The Committee of Public Safety, and you, Citizen, respect too highly the fundamental laws of your own country, not to approve my reason for declining the kind offer you have made me. I shall, however, immediately communicate it to our government, and doubt not it will produce there the good effect it merits.

Extract from the Constitution of the United States.

“ No title of nobility shall be granted by the United States, and no person holding any office of profit or trust under them, shall, without the consent of Congress, accept of any present, emolument, office, or title of any kind whatsoever, from any king, prince, or foreign state.”

[No. III.]

FROM MR. MONROE TO THE SECRETARY OF STATE,
PHILADELPHIA.

Paris, 15th September, 1794.

SIR,

As soon as I could command a moment's leisure, I applied myself to the immediate duties of my station. I found many of my countrymen here, labouring under embarrassments of a serious kind, growing out of the war, and was soon furnished with like complaints from others in several of the seaports. Correct information upon every point was my first object; for unless I knew the nature and extent of the evil I could not seek a remedy. I encouraged, therefore, by my letters, these representations, as the only means by which I could acquire it. Nor was it difficult to be obtained; for the parties interested had been too deeply affected, and long delayed, to be remiss upon the present occasion. In the course of a few weeks, I believe most of the complaints which had been occasioned by the war, and especially where the parties were present, either in person or by attorney,

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were laid before me. By analyzing them I found they might be classed under the following heads.

1. Those who were injured by the embargo at Bourdeaux.
2. Those who had claims upon the Republic for supplies rendered to the government of St. Domingo.
3. Those who had brought cargoes in for sale and were detained by delay of payment, or some other cause.
4. Those who had been brought in by the ships of the Republic, in derogation of the treaty of amity and commerce, and were subjected to like detention and delay.
5. Those who had been taken at sea, or elsewhere, and were confined, in derogation of the treaty of amity and commerce, or rights of citizenship in the United States.

Upon the two first heads, and indeed upon the two next following, so far as compensation to the injured parties was in question, I had no difficulty how to act: Your instructions had fully marked the course to be taken. I therefore required that compensation be made as soon as possible, and upon just principles, according to the contract, where such was the case, and the fair estimated value, where it was not. But the two latter * involved in them something more than the mere adjustment of existing claims, and which closed the scene when that was made. They grew out of measures, which, if suffered to continue, might create like injuries every week, and which would require a like interposition on my part. I therefore considered it my duty, not only to require a full indemnity to the claimants, as in the other instances, but to mount to the source of the evil and seek a remedy commensurate therewith.

I found that the delays above spoken of did not proceed from interest or design on their part: From interest they could not; for they not only disgusted and often injured the claimants, but likewise exposed the government to considerable loss, upon account of demurrage. And if there was no motive of interest, there could be none for design. They proceeded, in fact, from the system of trade adopted here, by which the whole commerce of the country was taken into the hands of the Republic itself. The regulation was such that none but the officers of government could purchase, nor could any contract be concluded and executed in any of the sea-ports, or elsewhere, than in Paris. This threw every case into the hands of a board of commissaries in this city, who were otherwise borne down with an im-

* The third and fourth are recent.

menſe weight of the moſt extenſive and complicated duties. The defect in our own arrangements too here, increaſed the embarraſſment; for, as we had no conſul here, every captain or ſupercargo became his own negociator, and as they were generally ignorant of the city, the language and of the prices laſt given, they were badly calculated for the purpoſe. Every new cargo formed a diſtinct negociation, and as there was no ſyſtem on the part of the venders, who wiſhed, as was natural, to make the moſt of their voyage, they uſually aſked an extravagant price for their merchandize in the firſt inſtance. This occaſioned a kind of trafic between the parties, and which frequently terminated in the diſguſt of both, and particularly of the venders, who, after they were wearied out with the clerks in the department, and whoſe duty it was to receive them, generally aſſigned the buſineſs over to ſome agent, and who, as he was not clothed with any public character, could neither be much reſpected by the French government, nor poſſeſſed in any high degree of the confidence of his employers. Such was the ſtate of our trade in this Republic, and ſuch the cauſe of the delay. As ſoon, therefore, as I became ſufficiently well acquainted with the ſubject, I thought it my duty to bring it before the government, and deſire on its part a ſuitable remedy; and if the perſon lately appointed does not ſoon arrive, I ſhall deem it equally neceſſary to nominate ſome one as conſul provisionally, to take charge of the buſineſs on ours; and if he does arrive, I am by no means certain it will remedy the difficulty, for reaſons I ſhall hereafter explain.

I had more difficulty in determining how to act on the fourth point*. I was not inſtructed to deſire a repeal of the decree, and did not know but that it had been tolerated from the foundeſt motives of political expedience. This Republic had declined calling on us to execute the guarantee, from a ſpirit of magnanimity and a ſtrong attachment to our welfare. This conſideration intituled it to ſome attention in return. An attempt to preſs it within the pale of the ſtipulation contained in the 23d and 24th articles of the treaty of amity and commerce, might give birth to ſentiments of a different kind, and create a diſpoſition to call on us to execute that of the treaty of alliance. The ſubject was therefore of the utmoſt delicacy, and I ſaw that I could not enter on it without the greateſt care. But yet I was perſuaded that France gained nothing by the departure, and had reaſon to believe if it were

* Otherwiſe than as related to compensation to individuals.

otherwise, that she would at the present time, concede it for our accommodation; and I knew its importance to our commerce, and especially as it would deprive the cabinet of St. James of the smallest pretext for continuing the violation on its part. Upon full consideration of all these circumstances the paper presented, was drawn, and I trust, whatever may be its effect, it will have the approbation of the President, since it may produce a beneficial one, and has in no respect compromitted him. My note was presented a few days since, and I expect an answer as soon as circumstances will permit, paying due regard to the immense weight of business before that department.

Upon the article respecting citizenship, I have as yet said nothing. I did not wish to complicate the subjects which I presented before them too much at any one time. It is, however, an important one, and shall be soon attended to, as shall likewise the claim for reimbursement of 50,000 dollars * advanced to the French emigrants from St Domingo.

Nothing of great importance has lately taken place in the public councils. The remaining spirit of ancient party has, it is true, occasionally shewn itself, but not with its former vigour; for it seems in a great measure to have withdrawn, and to lurk in the bosoms of the more inveterate only. Happily a different spirit more congenial with the temper of the nation, and which inclines to humanity, to peace and concord, seems to pervade the great mass of the Convention. I think this latter will soon prevail so as not only to prevent, at least for the present, further enormities, but to heal, in some degree, the wounds which have already been inflicted. Some latter circumstances authorise this expectation. Barrere, Collot d'Herbois and Billaud de Varennes, of the committee of public safety, and several of the committee of *sureté generale*, were suspected by many of having countenanced and supported the measures of Robespierre; and it was apprehended, that after the perfect and preternatural calm, which ensued his execution, should subside, some discussion on that subject would ensue. Accordingly they were lately denounced by Lecointre de Versailles, who brought forward a long list of charges against them. But it was immediately seen, that the party in favour of the denunciation, though violent, was weak. The Convention heard the accusation with patience, and rejected it with disdain, and Lecointre himself was eventually censured, as a disturber of the public repose,

* The amount was 15,000 only.

Many of this party were now in their turn alike agitated and alarmed, because they thought they saw in the rejection of the motion the invincible strength of the other party, and the certainty of their own fate. But they were superficial observers of the course of the revolution, and of the theatre on which they acted. They did not perceive, that there was a force in the Convention actuated by more humane and dignified principles; able to controul both, and render their extravagant and pernicious efforts abortive and harmless. This latter fact was further demonstrated by an event which followed immediately after. Under the organization of the committee of public safety, it became necessary to re-elect its members; and, if the influence of those lately denounced had preponderated, they would of course have been re-chosen. But the contrary was the case, for they were every one rejected, and others preferred in their stead. I have mentioned this incident, because I deem it an important one, in the character of the present moment; tending to prove the certainty with which the revolution progresses towards a happy close; since the preponderance of those councils which are equally distinguished for their wisdom, temperance and humanity continues to increase*.

Nor is fortune less propitious to the affairs of this Republic in the field, than in the cabinet. Within a few days past, Condé and Valenciennes have surrendered to its victorious arms. About 6000 troops were taken in these garrisons, with 1100 emigrants, and which latter were immediately put to the sword. The rigour with which the emigrants have been pursued continues nearly the same, and seems still to be dictated equally by the sentiment of the public councils and the people at large: It will not, therefore, be easily or soon removed.

The surrender of these garrisons has relieved from a state of inactivity about 50,000 men, who were immediately added to the armies upon the Meuse and on the frontier of Holland. These armies are at present of great strength, and certainly, upon the ordinary rules of calculation, not to be resisted by the force now embodied against them. In point of numbers they are by far superior, and they possess the means by which this superiority may be increased at pleasure, and to any amount. Their discipline too is exact, their spirits high, and enterprize astonishingly great. Whilst on the

* This is to be considered as comparing the present state of things, with that which existed before the fall of Robespierre.

other side, every thing wears a more gloomy aspect. Their troops are dispirited, and daily wasting away by the events of war, and reinforcements have been for a long time past, with difficulty obtained, and seem now to be exhausted, or at least at a stand. And to encrease the embarrassment on their part, 'tis said a dispute has taken place between Cobourg and York for the command, in case they should unite their forces: The latter having set up a claim in consequence of the great force of Prussians, &c. in British pay.

Cobourg occupies, at present a position near Maestricht, and York one in the neighbourhood of Bergen-op-zoom. It is thought the French will direct their principal force towards those posts, since their conquest will not only lay open the whole country to the Rhine, but likewise deprive Holland of its chief barrier. They are strong and well provided, but deemed by no means impregnable to the ardor and enterprise of the French troops. It is therefore probable some severe rencounters may soon take place in each quarter; for surely nothing but absolute despair will induce the combined powers to abandon them, and which they must otherwise do, in case the French continue to exert themselves with their usual vigour.

To the Committee of Public Safety.

Paris, September 3, 1794.

THERE are some subjects to which I wish to call your attention and which I deem of equal importance to both Republics. They have grown out of the occurrences of the present war, have pressed particularly hard upon the United States, and will, I doubt not, be immediately rectified, in a manner becoming the character of the French nation, and of course satisfactorily to us.

The first respects the departure, on the part of France, from the 23d and 24th articles of the treaty of commerce subsisting between the two Republics.

The second, the embargo of our vessels at Bourdeaux, and the injuries arising from it to those whom it concerns.

The third respects the claims of some of our citizens for supplies furnished to the government of St Domingo, authenticated by bills upon the Minister of the Republic in Philadelphia; by bills upon France, and by mandates and other instruments usual in such cases.

By the 23d article of the treaty of amity and commerce it is stipulated, that free ships shall make free goods, and that all goods shall be free except those which are termed *contraband*; and that no dispute might arise as to *contraband*, all those which should be deemed *such*, on the one hand, and which should be deemed *free* on the other, are particularly specified in the 24th.

It is necessary for me, in bringing this subject to your view, briefly to observe, that these articles have been dispensed with on your part: That our vessels laden with merchandize, not only the property of your enemies, made free by these articles, but likewise of our own citizens, the latter of which was always free, have been brought into your ports, detained for a great length of time, their cargoes taken, and the captains and proprietors otherwise subjected to great embarrassments, losses and injuries. But I will not dwell upon this subject in this view; because, I frankly own to you, it is painful for me thus to contemplate it. I wish to reserve my free comments for the other side of the picture, when I shall favourably explain the motives of the act, in communicating to my country, what I hope you will enable me to communicate, and upon this friendly intimation only, the ready acquiescence with which the decree was rescinded.

It may be said, that Great Britain has rendered us the same injury, and that when she shall change her conduct in that respect, France will likewise follow her example. But the case is widely different. Britain may dispute the law of nations, however clear its doctrine even with respect to *contraband*; but with France it is in both respects regulated by treaty. Besides we are the allies, and what is more interesting, the friends of France. These considerations naturally inspire in the councils of the two countries, different sentiments in regard to us; and if Britain proves true to those which belong to her situation, shall we, on the other hand, find France reluctant to cherish such as are friendly to us, and correspondent with hers? Will she say, that the injuries of Britain furnish a justificatory example for her to render us like injuries? Will our ally contend with that nation in rivalry, which shall harass our commerce most, and do us the greatest detriment? This is surely not a relation for the two Republics to bear towards each other. Other sentiments will, I hope, inspire their common councils; sentiments more congenial with their mutual interests and consonant to the dispositions of the citizens of both countries.

If the French Republic gained the smallest benefit from the regulation, there might be some motive for adhering to it. But this cannot, it is presumed, be the case. The most to be derived from it, is the occasional seizure of a straggling vessel destined for the ports of Spain and Portugal; for they are excluded from the ports of England, except under particular circumstances and which rarely happen. It must be obvious, if the price was higher here, this would be their destination; add to which the charges attending the seizure and conducting of vessels from their course, must be great, and make it not only an uncertain but unprofitable mode of supply.

It may be apprehended, that if this decree should be rescinded, it will open a door, through which, under the protection of our flag, the commerce of Britain may be carried on with advantage to her, and detriment to France. But a moment's reflection will demonstrate, that this apprehension cannot, in any degree, be well founded; for the navigation act of England, whose great principles have been wisely adopted here, forbids almost altogether any such commerce. By this act the manufactures of the metropolis cannot be carried to the colonies, nor can the productions of the colonies, nor the productions or manufactures of any other country, be carried in our bottoms to Great Britain. This restriction must in a great degree inhibit the use of our vessels in any but the direct trade between the two nations; for it is not probable that Great Britain will use the American vessels to export her cargoes to other countries, to any amount if at all; since, not being able to return, they would generally be left there empty and idle. On the contrary, we know that her practice, in such cases, has been, not to countenance the navigation of any other country at the expence of her own; but to protect the latter by convoys. But if this were otherwise, it is to be presumed that the fortune of the present war, in the triumphant success of the French arms, will have decisively settled itself, before that could have produced any material effect.

It must be obvious that the conduct of Great Britain, and especially in regard to the articles of contraband, must depend in a great measure upon that of France in this particular. For if France declines to rescind this decree, Great Britain most probably will, unless indeed she should make a merit of receding at the expence of France; but if France should comply in the first instance, she will put Great Britain in an embarrassing dilemma; for, if she refuses afterwards, it will not only tend to cement our union with France, but combine

all America in the condemnation of the conduct of Britain: And if they should then comply, to France will the credit be given, of having forced her into it.

At the same time I express to you a desire that this decree be rescinded, and the parties heretofore affected by it compensated for the injuries they have received, I consider it likewise my duty to add some observations upon the state of our trade in general in the Republic. When an American vessel arrives in any port of France, it is immediately in the hands of the government. The captain or supercargo cannot sell the cargo to any other person, nor can he get more for it than the public agents will give, nor sail elsewhere without permission. Oftentimes it happens, that great delays take place, from the necessity of communicating from the sea ports with the metropolis, and other inconveniencies detrimental to the parties. A regulation of this kind in its fullest extent, must prove very injurious to both countries, and especially to France. Trade cannot exist under it. It will soon happen that not a single adventurer will seek the French ports: No merchant will enter them but by constraint. The consequence must be, that the commerce of America so extensive and productive, and especially in those articles in greatest demand here, will be either exterminated, thrown into other channels, or forced here by public funds, and under the direction of public agents: a resource which, however productive, should not be the sole one, for many reasons; but more especially because the produce of our country, having thus become the property of France, will be liable, by the law of nations, equally in yours and in our vessels, to seizure and condemnation by your enemies; and, because if we succeed in securing the respect which is due to our flag by other nations, and which would enable our citizens in their own bottoms to supply in abundance your markets (and in which I trust we shall succeed) it would be of no use to you; and lastly, because the competition of private adventurers would thus be destroyed, a competition which, with suitable encouragement, would not only supply the defect of these agents and satisfy the demand of the market; but, by making known constantly and regularly the prices in America, form a check on their conduct and furnish the best test of their integrity.

You will observe I do not complain that the public are the sole purchasers and regulate at pleasure what shall be exported, provided the venders are paid for their cargoes in some commodity or specie, at their option; or that agents of the public are appointed in the United States, and as many as

may be thought necessary, to purchase our productions on public account and send them here. These are subjects which the legislators of the Republic, will regulate, according as public exigencies may in their judgment require. What I wish is, that the ports of France may be opened freely to the enterprizes of my countrymen, and which will be the case, provided they be permitted to leave them immediately, if they do not like the market, and dispatched without delay in case they do. To accomplish the first point a general order only will be requisite, to the officers of the customs or other persons in authority in the several ports; and the latter, a regulation of the prices to be immediately given by these officers upon all occasions, when a vessel should arrive, and which might be furnished as often as any change should be deemed necessary. This would, I am satisfied, banish every cause of complaint, greatly increase the competition, and of course the supply of the market, and at a much less expence.

Upon the second subject, the Bourdeaux embargo, I find the committee has already passed an arret, which secures to the persons interested an indemnity for the delay and other injuries sustained; it only remains, therefore, to adjust the amount of the claims and pay the parties entitled to it.

The third which respects the claims for supplies rendered by our citizens to the government of St. Domingo, is likewise a matter of account, and which it is earnestly hoped will be immediately adjusted and paid. A person authorized will appear in support of the claims, with the evidence, before any board or tribunal which shall be appointed for that purpose.

I have to observe, that I shall be happy to give every aid in my power to facilitate the adjustment and subsequent payment of these several classes of claims. So far as they are well founded I doubt not they will be allowed by the French Republic, and where this is not the case, they will not be supported by me. In an aggregate view they respect the great mass of American merchants. It is of importance for France to cultivate that interest, and the present is, for many reasons, a critical moment to make an impression on it. I hope, therefore, it will not be neglected.

It is my duty to observe to you, that I am under no instruction to complain of, or request the repeal of, the decree authorising a departure from the 23d and 24th articles of the treaty of amity and commerce; on the contrary I well know that if, upon consideration, after the experiment made, you should be of opinion that it produces any solid benefit to the

Republic, the American government and my countrymen in general will not only bear the departure with patience, but with pleasure. It is from the confidence alone which I entertain, that this departure cannot be materially beneficial to you, and that the repeal would produce the happiest effect, in removing every possible cause of uneasiness, and conciliating still more and more towards each other, the affections of the citizens of both Republics, and thereby cementing more closely their union, that I have taken the liberty, as connected with the other concerns, to bring the subject before you. To cement that union, in other situations, has long been the object of my efforts: for I have been well satisfied, that the closer and more intimate it was, the happier it would be for both countries. America and France thus united, the one the greatest power in the European world, and the other rapidly repairing the wastes of war and rising to the first rank in the scale of nations; both bounded by, and measuring an immense space along, the Atlantic; abundant in productions suiting the demand of each other; and, above all, both Republics, have nothing to fear from foreign danger, and every thing to hope from the happiest and most beneficial domestic intercourse. By a generous and liberal policy, France has it at the present moment much in her power, to promote this more intimate union, and in the hope she will avail herself of it, I have thought proper thus to develop the subjects which I have submitted to your consideration.

[No. IV.]

FROM MR. MONROE TO THE SECRETARY OF STATE:

Paris, October 16, 1794.

SIR,

I GAVE you in my last a sketch of the embarrassments under which our commerce laboured in the ports of the Republic, and of my efforts to emancipate it, as shewn by my letter to the committee of public safety, a copy of which was likewise forwarded. To this I have as yet received no answer, although I have requested it more than once. To my applications, however, which were informal I was

informally answered, that the subject was under consideration, and would be decided on as soon as possible.

But as these propositions were of extensive import, and connected with the system of commerce and supply, which had been adopted here, 'tis probable I shall not be favoured with an answer until the subject is generally reviewed. Nor shall I be surpris'd to find extraordinary efforts to protract a decision, and even defeat the object in view. But as the opposition will not be warranted by the interest, so I am well satisfied it will not be supported by the sense of the French nation, when the subject is well understood. To make it so, will be the object of my future, and I trust not ineffectual, endeavours.

You were, I doubt not, surpris'd to hear, that the whole commerce of France, to the absolute exclusion of individuals, was carried on by the government itself. An institution of this kind would be deemed extraordinary, even in a small state; but when applied to the French Republic it must appear infinitely more so. Nor were the circumstances which gave birth to it, more a proof of the calamities, with which the society was inwardly convulsed, than of the zeal and energy with which it pursued its object. Through the channel of trade it was found, or suspected, that the principles of the revolution were chiefly impaired; that through it, not only the property of the emigrants and the wealth of the country were exported, but that foreign money was likewise thrown in, whereby the internal dissensions were fomented, and in other respects the intrigues of the coaliced powers promoted. For a considerable time it was believed, that most of the evils to which France was a prey, proceeded from this source. Many remedies were in consequence applied, but still the disease continued. Finally an effort was made to eradicate the cause, by exterminating private trade altogether, and taking the whole commerce of the country into the hands of the government. A decree to this effect accordingly passed on the — day of October 1793, and which has since continued in force.

But now many circumstances incline to a change of this system. The act itself was considered as a consummation of those measures which completed the ruin of the Girondine party, whose principal leaders had already fallen under the guillotine. By it, the commercial interest, as distinct from the landed, and dividing in certain respects, with opposite views, the councils of the country, was totally destroyed. All private mercantile intercourse with foreign nations was

cut off, and so severe were the measures, and great the odium on the mercantile character, that none were pleased to have it attached to them. But when the apprehension of danger from that source was done away, the motive for the act itself was greatly diminished. Accordingly the public mind was soon seen vibrating back to its former station; and in which it was greatly aided by the fortune of the late dominant party, whose principal leaders had now, likewise in their turn, settled their account with the Republic, at the receipt of the guillotine. Thus we find, and especially in great commotions, that extraordinary measures not only bear in general the strong character of their author, but frequently share his fate. The fall of the Brissotine party extirpated private trade; the fall of Robespierre's may probably soon restore it.

At present many symptoms indicate that a change is not distant, though none seem willing, so prominently to take the lead, as to make themselves responsible for the consequences. The only active interest that I can perceive against it, consists of those who have managed the public trade and been intrusted with the public monies for that purpose. They readily foresee that a change will not only take from them the public cash, but likewise lead to an adjustment of their accounts for past transactions. 'Tis however generally the fortune of an opposition of this kind, to precipitate the adoption of the measure it wishes to avert; for as every one suspects that its motive is not sound, and which is proportionally increased by the degree of zeal shewn, so every one feels an interest in defeating it.

I have endeavoured in my propositions to confine them entirely to external objects, by suggesting such remedies as might be adopted without any interference with the interior general system of France. By so doing I hoped, that the injuries of which we complain might be sooner redressed and not made dependant on the great events which happen here.

I soon found, that the extraordinary expedient to which this Republic had had recourse, of excluding individuals from trade and conducting it themselves, would require, in a great measure, a correspondent regulation on our part: For if the conduct of the public servants, on the one side, was not in some measure supervised, and which it could not be, but by public agents on the other, the impositions which might be practised on our improvident countrymen would be endless. In every contest between a public officer here, and the citizen of another country in the purchase of supplies for the

Republic, or execution of a contract, the bias of the government and of the people would be in favour of the former. The consulate, under the superintendance of the minister, forms their natural bulwark, in the commercial line against impositions of every kind. Indeed it is the only one which can be provided for them. But to guard them against those proceeding from the source above described, it should be organized with peculiar care. I was sorry, therefore, upon inspecting into our establishment, to find, that whatever might be its merits in other situations, it was by no means in general endowed with sufficient strength or vigour for the present crisis. American citizens alone can furnish an adequate protection to their countrymen. In the hands of a Frenchman, or other foreigner, the consular functions lie dormant. In every litigated case the former shrinks into the citizen and trembles before the authority of his country; and the latter, especially if the subject of one of the coalesced powers, finds our commission only of sufficient force to exempt him from the decree which would otherwise doom him to a prison. I annex, at the foot of this, a list of our consuls and consular agents, with a note of those who have been actually under arrestation and confinement, and by which you will be better enabled to comprehend the justice of these remarks.

My situation was, therefore, in every view, beyond measure an embarrassing one. But as there was no consul or agent of any kind or country here, where the whole business was concentrated, and every transaction closed, it became on that account infinitely more so; for I was in consequence not only daily surrounded by many of my countrymen, complaining of delays and injuries, and intreating my intercession for redress, but applied to by them from every quarter and upon every difficulty. I could not settle their accounts with the departments, nor could I interfere in any other respect in particular cases, where there were more of the same description. I could not even go through the forms in the offices which were necessary to verify facts, and which, if true, furnished ground for complaint; nor could I demand redress of the government upon any supposititious case, and which every one must be until verified. I remained thus for some time in expectation of the arrival of Mr. Duvernats; although I was apprehensive such an event, in consequence of the general objection above stated, and the decree which applied particularly to his case, instead of affording relief, would plunge me into a new embarrassment. But finding that he

had not arrived, and that I could make no progress in the public business here, without the aid of a consul, I finally nominated my secretary, Mr. Skipwith, provisionally consul for this city, on the — day of —, and notified it to this government, a copy of which and of the answer of the commissary of foreign affairs I herewith inclose you. To him I have since assigned the interesting duty of developing and demonstrating the cause of these difficulties, by an appeal to authentic facts; and the better to enable him to perform this service, I have instructed our consuls and agents in the several ports, to render him a statement of those within their particular jurisdictions. Thus enlightened, he will make a report upon the whole subject to me, and which I will immediately lay before the committee of public safety, in illustration of my former comments, and with such others as may be found necessary.

At present I can say nothing decisively upon the subject of a general arrangement of the consulate. What I have said may furnish some hints that may be useful. But I wish before any thing is definitively done in that respect, to give you the result of my further remarks on it. Mr. Fenwick will be here in a few days, and from whom I doubt not I shall derive much useful information. In the interim Mr. Skipwith will perform the duties of the office in which I have placed him. But as he undertook it without the prospect of emolument in the official line (for in truth the duties required of him are not strictly consular, but novel and growing out of the emergence of the time) and more from a regard for the public interest, and to accommodate me, than himself, although I was thereby deprived of his services in the immediate station in which he had accompanied me, yet I could not bereave him of the appointment I had personally conferred, nor divert from him the salary belonging to it. By permitting things to stand where they are for a few weeks longer, the public will derive no detriment, and I shall be able to acquire, and give, such information as will enable you to proceed with more propriety afterwards; a consideration which will induce me to bear the inconvenience to which I shall be personally subjected, with pleasure.

I found, upon my first arrival, that I should have much difficulty upon the subject of passports. The jealousy of this government was immediately discovered, with respect to those who, being subjects of England, or any other of the coalesced powers, had passed over to America since our revolution, become citizens of some one of the states, and returned to their

proper country, where they now resided. It was suggested to me, by the commissary of foreign affairs, that if these people were covered by my passports, I should immediately spread through France, in the armies, and in presence of the public councils, a host of spies, who would report the circumstances of the country to their enemies. It was likewise urged, that I had no right to do it; for although this description of persons had acquired, for the time, the right of citizenship with us, yet they were more attached to other countries, since they resided, and had their property, there. I was likewise told of instances wherein this privilege had been abused by such persons, two of whom were said to be then confined at Dunkirk, as spies. The subject was, in point of principle, difficult, and I was really embarrassed how to act in it, so as to satisfy this government, and do justice to the parties concerned; for, if citizens of America, it seemed difficult to distinguish between such and any other citizens. And yet the argument was equally strong on the other side; for, if the subject of another power, it was equally difficult to distinguish between such and any other subject of the same power, especially in this region, where the right of expatriation is generally denied. But in point of expedience, there was less difficulty in the case. Citizenship is, in its nature, a local privilege. It implies a right within the government conferring it. And if considerations of this kind are to be regarded, I can see no reason why it should not, in the present instance, be construed strictly: For, if a temporary emigrant, after availing himself of this benefit for a few years, and for the purposes of trade, in our indulgent country, chuses to abandon us, and return from whence he came, why should we follow him on this side the Atlantic, to support in his behalf a privilege which can now only be claimed, at best, for private, and perhaps dishonourable purposes? Can any motive be urged of sufficient force to induce us to embark here in this kind of controversy, at the hazard of our national character, and the good will of the nation, believing itself injured by it? Will the refusal to grant passports to such persons check emigration to our country? I am satisfied it will not, of the kind that merits encouragement; for it will rarely happen that a single member of that respectable list of philosophers, artists and yeomen, who seek an asylum with us, from the troubled governments on this side the Atlantic, will ever re-cross it. These observations apply only to those who settled with, and abandoned, us since the peace; for I consider those, be they of whatever country they may, and especially if of the British

territory (who were, of course, in the common character of British subjects, equally members of our revolution) who threw their fortunes into our scale, as being as much Americans as if they were born with us. After some discussion with the commissary on the subject, it terminated by an assurance on my part, that I should be particularly cautious as to such characters, and refuse my passports to all of that description (except in particular cases of hardship, and upon which he should be previously consulted) who were not actually resident within the United States. This arrangement was satisfactory to the government, as you will perceive by the commissary's letters to me, copies of which are herewith transmitted. I shall, however, be happy to be instructed by you on that head.

The councils of this Republic still continue to present to view an interesting, but by no means an alarming, spectacle. Instances of animated debate, severe crimination, and even of vehement denunciation, sometimes take place; but they have hitherto evaporated without producing any serious effect. It is obvious, that what is called the mountain party is rapidly on the decline, and, equally so, that if the opposite one acts with wisdom and moderation, at the present crisis, it will not only complete its overthrow, but destroy the existence (if possible in society) of all party whatever. The agitation which now occasionally shews itself, proceeds from the pressure of this latter party on the mountaineers, and who in their defence, sometimes make a kind of incurive or offensive warfare upon their enemy; for having since the fall of the Brissotines, wielded the councils of the nation, and been accustomed to a pretty liberal use of their authority over the remaining members of that party, they bear, with pain, and not without apprehension of danger, their present decline. The tone of the discussion, therefore, frequently exhibits to view the external of a violent controversy between two rival parties, nearly equally balanced, and which must terminate, under the preponderance of either, in the extirpation of the other. But this I deem only the external aspect, and upon considerations, in my judgment the most solid, I have observed generally, that the first indications of warmth have proceeded from the weaker party, and from its less important members, who occasionally break through the restraint imposed on them by their leaders; (if, when a force is broken and routed, there can be any leader) and fall forth into extravagancies, which provoke resentment, where they should only endeavour to excite pity; and whilst a different conduct is observ-

ed by the leaders themselves: For neither Barrere, Billaud de Varennes, nor Collet d'Herbois, ever take part in these discussions, otherwise than to explain some severe personal attack, and to which they confine their comments strictly, and with all suitable respect for their opponents. I observe it rarely happens, that any very distinguished member in the preponderating party takes share in these discussions; though the field invites, and much might be said with truth, and of course with effect. From these considerations I infer, not only that the party of the plain has already acquired the complete preponderancy; but also, that its motive is rather to save the Republic, than to persecute its enemies. There is, likewise, something in the origin and spirit of these debates, which authorizes a belief they portend nothing alarming; for they generally proceed from a review of past enormities, which most deny, and few justify. But the scene through which they have past, cannot always be covered with a veil; on the contrary, it frequently breaks in upon their discussions, and always excites, like the Ghost of Hamlet, whenever it appears, the horror of the innocent, and the terror of the guilty, spectators. The debates, therefore, which ensue, though violent, are more of the exculpatory, than of the assailing and sanguinary, kind. Each party endeavours to vindicate itself from the charges alledged against it; sometimes by absolute denial, and at others, by a counter crimination of its adversary. Hitherto, the business has ended by a general reference of the depending motions to the committee of public safety, solely; or to it, associated with the two other committees of general surety and legislation, and who have had sufficient wisdom, either to keep up the subject 'till it was forgotten, or to report such a general essay upon the state of affairs, the views of the coalesced powers, trade, finance and the like, as always to obscure, and sometimes to throw it entirely out of view.

By this, however, I do not wish to be understood as intimating, that in my opinion none of the members of the Convention will in future be cut off. On the contrary I think otherwise; for it cannot be possible that some of those who have perpetrated such enormities in their missions in the several parts of the Republic, and particularly at Nantes, should escape the justice of their country.

In the movements of the present day, the Jacobin society has, as heretofore, borne its part. The history of this society, from its origin to the present time, is of importance to mankind, and especially that portion upon which providence

has bestowed the blessing of free government. It furnishes a lesson equally instructive to public functionaries and to private citizens. I am not yet fully possessed of the details, although I have endeavoured to acquire them; but the outline I think I now understand. In its history, as in that of the revolution itself, there are obviously two great eras. The first commenced with the revolution and ended with the deposition of the king. The second fills the space between that event and the present day. The former of these is still further divisible into two parts, upon each of which distinct characters are marked. The first commenced with the revolution and ended with the constituent assembly, or adoption of the constitution. The second comprises the administration under the constitution. During the first of these, the Jacobin society was composed of almost all the enemies to the ancient despotism; for in general those who were friends of the public liberty, and wished its establishment under any possible modification, became at this time members, and attended the debates, of this society. But with the adoption of the constitution, many were satisfied and left it. After this, and during the second part of this era, it was composed only of the enemies to hereditary monarchy, comprising the members of the three succeeding parties, of Brissot, Danton and Robespierre. During the whole of the first era, therefore, or until the deposition of the king, this society may be considered as the cradle of the revolution, for most certainly the Republic would not have been established without it. It was the organ of the public sentiment and, by means of discussion and free criticism upon men and measures, contributed greatly to forward that important event.

But from that period and through the whole of the second era, this society has acted a different part and merited a different character. The clergy, the nobility, and the royalty were gone; the whole government was in the hands of the people, and its whole force exerted against the enemy. There was, in short, nothing existing in that line which merited reprehension, or with which the popular sentiment, virtuously inclined, could take offence. But it had already gained a weight in the government, and which it had now neither sufficient virtue nor inclination to abandon. From this period, therefore, its movements were counter-revolutionary, and we behold the same society, which was heretofore so formidable to the despotism, now brandishing the same weapon against the legitimate representation of the people.

Its subsequent story is neither complicated nor various. As the revolution was complete, so far as depended on the interior order of things, it had no service of that kind to render, nor pretext to colour its movements. It was reduced to the alternative of either withdrawing from the stage, or taking part in the ordinary internal administration, and which it could not do otherwise than by becoming an instrument in the hands of some one of the parties against the other. This station, therefore, it immediately occupied and has since held it to the present time. It became the creature of Robespierre and under his direction the principal agent in all those atrocities which have stained this stage of the revolution. It was by means of this society that he succeeded in cutting off the members of the two succeeding parties of Brissot and Danton, and had finally well nigh ruined the Republic itself.

It is an interesting fact, and very deserving of attention, that in the more early and latter stages of this society, the best men of France were seeking an admittance into it, but from very different motives. In the commencement and until the establishment of the Republic, it was resorted to by them for the purpose of promoting that great event. But in the latter stage and until the fall of Robespierre, it was resorted to by them merely as a shelter from danger. Virtue and talents, with every other great and noble endowment, were odious in the sight of that monster, and were of course the object of his persecution. Nor was any man of independent spirit, possessing them, secure from his wrath. The Jacobin society could alone furnish any kind of protection, and to this circumstance it was owing, that many deserving characters were seen there, apparently countenancing measures which in their souls they abhorred. It is therefore only justice, that the present preponderating party in France, and the world at large, should now look with indulgence, and indeed with forgiveness, upon the conduct of many of those who seemed at the time to abet his enormities. Unfortunately for them and for their country, their presence secured only a personal exemption from danger: The preponderating influence had long been in the hands of those of a different description.

In the last scene which was acted by Robespierre, and in which he placed himself at the commune in open rebellion against the Convention, 'tis said that this society arranged itself under his banner against that assembly. But after his fall, and which was instantaneous, it immediately endeavoured to repair the error of this step, by charging it upon some,

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who were admitted to be bad members, and others who were said to have forced themselves, at that tumultuous moment, unlicensed into the society, and who were not members at all. It even went into high crimination of Robespierre himself. But the principles of the controversy were too deeply rooted in the minds of all to be so suddenly eradicated. It was obvious that a crisis had arrived which must eventually settle the point, whether the Convention or this society should govern France, and equally so, that the public mind was, and perhaps long had been, decisively settled in favor of the former. As the catastrophe was approaching, this society, as heretofore, used, at one time, an elevated or commanding tone, and at others, an humiliating one. But the convention acted with equal dignity throughout. Whether it contemplated to strike at its existence, by an overt act, or to seek its overthrow by contrasting the wisdom, the justice and magnanimity of its own present conduct, with the past and recent enormities of this society, is uncertain. The leading members of the preponderating party seemed doubtful upon this point. But, finally, the rash and outrageous extremities of the society, which was secretly exciting commotions through the country, forced the convention into more decisive measures. By its order, the secretary of the society at Paris was arrested, and all the deputies from those associated with it through France, and who had arrived to deliberate upon the state of their affairs, were driven from the city, under a decree which exempted none, not inhabitants of Paris, except our countrymen. Of all France, Marseilles was the only district, in which its efforts produced any effect. A small commotion, excited there, was immediately quelled by the ordinary police, and who, after making an example of the leaders, reported it to the convention.

What further measures may be adopted by the convention, in regard to this society, is uncertain: The subject is now under discussion, and I shall, I presume, be able in my next, to give you the result.

The same success continues to attend the arms of the Republic, and in every quarter. They have taken, since my last, in the north, Juliers, Aix-la-chapelle, Cologne and Bois-le-duc, and in the south, Bellegarde, with immense stores of cannon, provision, &c. in each, and particularly in Juliers and Bois-le-duc; at both of which latter places, a general action was hazarded by the opposite generals, and in which they were routed with great loss. It is said, indeed, that the action which atchieved Juliers, was among the most im-

portant of the present campaign, since they consider it as deciding, eventually, the fate of Maestricht, Bergen-op-zoom, and of Holland itself. Maestricht is now closely invested, and must fall in the course of a few weeks, since the Austrian general has obviously abandoned it to its fate. Holland must fall immediately afterwards; for there is, in truth, nothing to prevent it. Indeed I think it probable, they will, previously, detach twenty or thirty thousand men, to take possession of it; for it is generally believed, it may be easily accomplished.

What effect these events may produce in England, it is difficult for me to say. That Austria, Prussia and Spain have been for some time past wearied with the war, and have wished to withdraw from it, is certain. That they will withdraw from it soon, is more than probable, and upon the best terms they can get. England, therefore, will have to maintain the contest alone; for Holland will be conquered and subject to the will of the conquerors. This, however, is not the only danger which impends over her. Denmark and Sweden,* offended at the unlawful restraint imposed by her on their trade, in the arbitrary rule of contraband, have, for near three months past, united their fleet, to the amount of about thirty sail, for the purpose of vindicating their rights: and Spain, equally unfriendly, and irritated with that power, has, I have reason to believe, serious thoughts, not only of abandoning the war, but of acceding to this combination. The lapse of a few weeks, however, will, no doubt, unfold these subjects more fully to view.

Paris, 20th Fructidor, 2d Year of the Republic.

(September 6th, 1794.)

*The Commissary of Foreign Affairs to the Minister Plenipotentiary
of the United States of America.*

CITIZEN MINISTER,

I HAVE received the letter which you addressed to me, concerning the demand which has been made to you by the family of Bingham, to obtain passports, in quality of American citizens.

* It is a fact, that these powers considered themselves as forsaken by America.

I applaud the more the circumspection which you think it your duty to observe, in regard to those travellers, who have the twofold character of American citizens and English subjects; because I recollect, that several of them have abused the regard which the republic has for its allies, and have entertained, with the English government, connections the most reprehensible. Convinced that the United States are far from wishing to protect such citizens, I think they will equally approve, with ourselves, the repugnance which you shew to grant them passports.

As for the rest, the laws of your country, have, without doubt, determined this question, so important in the actual state of affairs. To consider it only under the general relation of the rights of nations, it appears, that, with the exception of merchants, and political and commercial agents, the *domicil* and not the *property* of some land, ought to decide the quality of an American citizen. It is known, that a great number of English, Dutch and French people have purchased lands in America, without residing there, and it would produce a great inconvenience, if, on that account alone, they were considered as citizens of the United States.

The family of Bingham, having resided five years in France, it ought to be sufficiently known, in its municipality, to obtain passports in the ordinary way. The law does not permit me to grant them to any but the exterior agents of the Republic, and to the envoys of foreign powers.*

(Signed)

BUCHOT.

* Mr. Bingham had been an officer in lord Rawdon's corps, in the course of our war, but had, after its close, as appeared by the declaration of an American, resided for some short time in Jersey, of which state this American thought him a citizen. For the five last years past, he had dwelt in France. Under these circumstances, and especially as the proof of his being a citizen of the United States, was not positive, though strongly presumptive, Mr. Monroe wished Mr Bingham to obtain a passport from the French government, and not from himself, and for that purpose addressed the minister a short note on the subject, to which this, and the following, letters were answers.

Paris, 28th Fructidor, 2nd Year of the Republic,

(September 14th, 1794.)

*The Commissary of Foreign Affairs, to the Minister Plenipotentiary
of the United States of America.*

THOUGH the testimony of friendship and attachment which the government and citizens of the United States have constantly given to the French Republic will not permit us to doubt of their disposition towards us, yet there is reason to fear, that some individuals have abused the confidence which so happily subsists between the two nations, by entertaining, with our most inveterate enemies, connections very injurious to the success of the Republic. The twofold character of American citizen and English subject, with which many travellers are clothed, will be, above all, and probably has been, very favourable to the treasons which the minister of Great Britain endeavours to multiply in France. I have cause to believe, after this, that you will observe, with the utmost strictness, not to grant passports or certificates of American citizenship, but to those who have their domicil in America, and who, by their civism, appear to you worthy of belonging to the United States. You will, doubtless, concur with us in opinion, that an American cannot conspire against liberty, without conspiring against his own country, which was its cradle.

The reserve, with which American passports are expedited, will become a new motive for granting to those who shall obtain them, the high degree of protection which is their due.

I take this occasion to inform you, that by an arreté of the committee of public safety, all passports for foreign countries must be presented to that committee, before they can be legalized by the commission of foreign affairs. I pray you, therefore, to address to that committee the bearer of such passports, in all cases, before application is made for this legalization to my department.

(Signed)

BUCHOT.

*The Minister Plenipotentiary of the United States of America,
to the Commissary of Foreign Relations.*

Paris, September 22nd, 1794.

I HAVE this moment received the inclosed memorial from the masters of two American vessels; the *Mary*, commanded by Henry Preble, and the *Severn*, by Jared Goodrich, who were boarded at sea by the *Proserpine*, frigate of the Republic, and all the passengers taken from the one vessel, and the other, with her cargo and passengers, brought into Brest, where they are now detained. As these cases form like departures from the treaty of amity and commerce, between the two Republics, and are, in that respect, analogous with those complained of in my note, lately presented to the committee of public safety, I have thought it my duty, as connected with that subject, to bring them immediately before the same department. Independently of the propriety of accommodating the principle to the wishes of my country, and which I earnestly hope, for the common interests of both Republics; will be soon done, I presume the embarrassment of virtuous men, and good patriots, as is the case in the present instance, will be an additional motive for their immediate enlargement.

Mr. Menres to the Commissary of Foreign Affairs.

Paris, September 1794.

My predecessor Mr. Morris, finding it impossible to procure a vessel to embark his baggage and sail for some weeks yet to come, wishes to employ that time in an excursion into Switzerland, and has requested me to obtain, for him, a passport for that purpose. The better, however, to explain to you his wishes, I have enclosed a copy of his letter to me on that subject. Perhaps, it may be more conformable to the course of proceeding in such cases, that it should be granted, in the present instance, by the committee of public safety. But in either case, I presume, it will be more agreeable to him, as it likewise would be to me, that their approbation of the measure should be previously obtained. I have, therefore, to request, citizen, that you will be so obliging, as to make known to that body his wishes, and obtain their sanction.

H

The Commissary of Foreign Affairs, to the Minister Plenipotentiary of the United States of America.

Paris, 1st Vendemiaire, 3d Year of the Republic.

(September 23d, 1794.)

CITIZEN MINISTER,

I HAVE transmitted to the committee of public safety, the letter by which your predecessor demands a passport, for a journey into Switzerland. In any other state of affairs, the journey which he proposes to make before his departure for America, would not be an object of the least discussion; but, at this time, many important considerations occur, which make this voyage inconvenient, and it were to be wished, that the citizen Morris would postpone it to another epoch. I know not, however, what will be the decision of the committee of public safety, upon this subject.

(Signed)

BUCHOT.

From Mr. Monroe, to the Commissary of Exterior Relations.

Paris, September 1794.

CITIZEN COMMISSARY,

A SHORT experience has already demonstrated the interest which my country has in the appointment of some person here, known to your government and responsible to ours, to take charge of the affairs of its citizens in the commercial line. This consideration has induced me to appoint, provisionally, Fulwar Skipwith, heretofore secretary of legation, to the office of consul for the department of Paris, and who will take on himself, and discharge the duties properly belonging thereto, until the sense of our government shall be known on the subject. I have, therefore, to request you will be so obliging as to cause this to be communicated to the several departments of your government, in such manner that he may be known and respected as such.

The Commissary of Foreign Relations, to the Minister Plenipotentiary of the United States of America.

Paris, 1st Vendemiaire, 3d Year of the Republic.

(September 23d, 1794.)

CITIZEN MINISTER,

I HAVE received the letter by which you inform me, that you have nominated Mr. Skipwith, provisionally, to the office of consul for the department of Paris, and I have written, in consequence, to the committee of public safety, to request, that the exequatur of his commission may be granted. The political principles and talents of Mr. Skipwith are so favourably known here, that the choice you have made cannot otherwise than be a very agreeable one to the government of this Republic. Besides, the numerous affairs which your countrymen have to discuss at Paris have proved, for a long time past, the necessity of confiding their interests to a commercial agent, who should be specially charged with this detail.

(Signed)

BUCHOT.

The Commissary of Foreign Affairs, to the Minister Plenipotentiary of the United States of America.

Paris, 2nd Vendemiaire, 3d Year of the Republic.

(September 24th, 1794.)

CITIZEN MINISTER,

AFTER an explanation which the Secretary of your predecessor has given to me, it appears, that the citizen Morris proposes to return to America by the way of Switzerland, and that he has renounced the project of returning to France, to embark at Havre. As he ought to be entirely free to take, in his return to America, the rout which he prefers, there can be no further discussion upon the passport which he demands. I am ready, therefore, to legalize that which you shall think proper to grant him.

As to the effects which your predecessor desires to embark at Havre, I invite you to send a detailed account of them to the commission of commerce, which will give all the facilities necessary for their exportation.

(Signed)

BUCHOT.

The Commissary of Foreign Relations, to the Minister Plenipotentiary of the United States of America.

Paris, 6th Vendemiaire, 3d Year of the Republic.

(September 28th, 1794.)

CITIZEN MINISTER,

I HAVE received your letter of the first instant, by which you send me the memorial of two American captains, whose vessels were seized by a frigate of the Republic. I transmitted, immediately, their reclamations to the committee of public safety, whose decision will, I doubt not, be equally satisfactory to your government, and the parties interested.

(Signed)

BUCHOT.

The Commissary of Foreign Relations, to the Minister Plenipotentiary of the United States of America.

Paris, 16th Vendemiaire, 3d Year of the Republic.

(October 8th, 1794.)

I HAVE received an answer from the commission of marine and colonies, to the demand you made, and which I transmitted them, concerning the restitution of the American ship, the *Severn*, the enlargement of the passengers who were embarked on that ship, as, likewise, those who were on board the ship *Mary*. You will perceive, by the copy of this answer, which I hasten to communicate to you, that your demand upon these objects is sent to the committee of public safety, for its decision.

(Signed)

BUCHOT.

*The Commission of Marine and Colonies, to the Commissary of
Foreign Relations.*

Paris, 13th Vendémiaire, 3d Year of the Republic.

(October 5th, 1794.)

CITIZEN,

I HAVE received your letter of the third of this month, with a copy of one from the minister plenipotentiary of the United States, by which he demands the release of the American ship, *The Severn*, taken by the *Proserpine*, frigate of the Republic, and likewise the discharge of passengers, who were on board that ship, as well as of those who were on board the ship *Mary*, another American vessel, taken by the same frigate, but which was released.

The commission hastens to do every thing in its power, to increase the good understanding which ought to reign between two friendly nations, by submitting this affair to the committee of public safety, and it engages to communicate the result to the minister plenipotentiary of the United States, as soon as obtained.

From the Secretary of State to Mr. Monroe.

Philadelphia, July 30th, 1794.

SIR,

I HAVE applied to Mr. Fauchet for the adjustment of the fifteen thousand dollars, voted by Congress, for the relief of the St. Domingo people. His answer is not yet received, although I can be at no loss to anticipate it: For I recollect, when he first came, he felt uneasy, that Congress should be granting (as he called it) French money, against the will of the Republic; and even after I had pressed upon him the obligation of his government to support its indigent citizens; the heavy tax which these unhappy fugitives had been upon us, and the impossibility of seeing them starve in our country, no other impression was made upon him, than to narrow his objection to the disbursement of French money for the support of aristocrats as well as democrats. You will, therefore, proceed to bring this article immediately into view; and as it is short in its principle, so will it be sufficient for us to obtain a short decree, that such parts of the fifteen thousand dollars

as may have been expended upon the succour of the indigent inhabitants of St. Domingo, who took refuge here after the disasters of the Cape, be credited to the United States, in their account with the French Republic.

We have heard with regret, that several of our citizens have been thrown into prison in France, from a suspicion of criminal attempts against the government. If they are guilty, we are extremely sorry for it; if innocent, we must protect them. It is the desire, therefore, of the President, that you should, without delay, collect intelligence of every American citizen under confinement, and of his case; and whatsoever ought and can be done, to do promptly and decisively; taking care to see that your path is clear, and affording no pretext for being charged with demands against the law of nations. Among these persons, are Archibald Hunter and Shubael Allen; concerning both of whom papers are enclosed, and who ought to be immediately assisted, as far as may be right; since their sufferings are known. I consign them to your earliest attention and warmest activity.

Mr. Macarty, whose letter is enclosed, has been lately appointed consul for the United States, in the Isle of France, from whence he dates. The circumstances which he relates are serious and important; and it is wished, that you lose no time in having every thing rectified and compensated, as to past instances, and to prevent a repetition of future.

The enclosed letter, from one Binard, of Brest, speaks of his having been appointed vice consul of the United States there, by Mr. Burrall Carnes, our late consul at Nantes. In this he is mistaken, as Mr. Carnes had no right to appoint a vice consul under himself, and probably went no farther than to constitute him an agent, as consuls may lawfully do. Mr. Dobree, having succeeded Mr. Carnes, will probably take similar measures with respect to an agent; but it is desirable, that you should immediately examine this matter well, and cause to be done, what shall appear beneficial to our trade.

If a vice consul should appear to be really necessary, you will inform me by the first opportunity.

Mr. G. Morris having recommended Mr. Francis Coffyn, to be our consul at Dunkirk, a temporary commission is sent to him, and will be submitted to the senate for renewal; unless from a view of all circumstances relative to his situation (he being understood to be now in confinement for some cause or other) you should think it improper, that he should be employed in the service of the United States.

Mr. G. Morris, will have probably communicated to you the steps which he has lately taken, to accomplish a peace with Algiers, and the liberation of our fellow-citizens in captivity. But lest he may have accidentally omitted to mention them, I forward a copy of his letter, which describes his measures. As he had received no particular powers upon this head, and is not minute in that letter, as to the instructions which he has given, we are left to conjecture what course has been pursued. You will, therefore, inform the proper authority, that the President learns with great satisfaction, the new testimony given by the French Republic of attachment to the interests of the United States; not doubting, at the same time, that it must prove beneficial to the supplies of France, from hence: That the powers, derived from Mr. Morris, to the agent who was to accompany, on our part, the French commissioner, though they are as yet unknown to us, have, no doubt, been judicious, and the acts in conformity with those powers will be confirmed, if they shall be found to come within the spirit of the plan hitherto adopted: That Colonel Humphreys, our minister at Lisbon, has been long ago specially appointed to this business; possesses a full knowledge of our views and our means, and has been particularly conversant in our attempts for peace with Algiers: That he will, if he should think it necessary, instruct the agent appointed by Mr. Morris: That we trust the auspices of the French Republic will be continued to the efforts under the guidance of Colonel Humphreys; and that as an evidence of our confidence in the French government, you are empowered, if you conceive it to be advisable, to impart the terms upon which we expect to buy peace; but the circumstances and consequences of such communication are to be well weighed before it be made.

The cases of spoliation and vexation from the French cruizers on our trade I again most earnestly recommend to your anxious attention. Mr. Fauchet has promised to forward a recommendation of them to his government. You will do well to press the *principle* without delay; and, if doubts are entertained as to facts, put the subjects into a train for the most early decision. The French Republic will surely never suffer us to be plundered by their citizens; and that we have greatly suffered by their plundering the papers accompanying this letter, if they be true, manifest. We are no less disturbed at the conduct concerning the embargo at Bourdeaux. If the account brought hither lately by one of the captains who were detained there, be genuine, the promise of compensa-

tion has been illusory only. You are, therefore, again charged, to make this also your special and immediate business; and to press the rights of our citizens in a manner which indicates, that we cannot waive the justice due to us. In short, Sir, it is the express instruction of the President, that you diligently enquire into every inconvenience, to which our trade has been subjected; and to remonstrate strongly upon them, and represent the facts to us fully and minutely. Had not Mr. Morris so strenuously pressed the affair of the ship *Laurens* of Charleston, which is committed to your care, I would here repeat all the circumstances. But these may be obtained as well from Mr. Morris as from the French archives. The decrees upon which the conduct of the French Republic was founded, in this case, which I note particularly on account of those decrees, have also been remonstrated against by Mr. Morris; and I question whether much matter can be added to his observations. But such of those decrees as tend to the condemnation of the *Laurens* are gross violations of our rights. You, no doubt, will have resumed this subject, immediately on your arrival; and you are at liberty to speak in a firm and decisive tone, taking care to avoid offence, or in any degree to weaken the friendship between the two countries. As you carried with you a statement from this department, relative to the spoliations of our trade, and copies of Mr. Fauchet's letters respecting them, I do not repeat them here. But these will assist you in the demands which you are to make on the French government.

I am, &c.

EDM. RANDOLPH,
Secretary of State.

[No. V.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, November 7th, 1794.

SIR,

I HAVE been favoured with yours of the 30th July, original and duplicate, and had the pleasure to receive them unopened.

In my two last letters, which were of the 15th September, and 16th October, I informed you of the several subjects which I had brought before the committee of public safety, as also of the ill-success which had attended my efforts to obtain an answer upon any one; and I am sorry to be under the necessity now to add, that although I have pressed a decision with the utmost possible zeal, yet I have not been able to accomplish the object.

Being wearied with the delay, I notified to the committee soon after the date of my last letter to you, that I should be glad to confer with them, or some few members, on the subject; provided it comported with their rules in such cases, and would otherwise be agreeable. The proposition was immediately assented to, and the evening of the same day appointed for the interview. I attended in their chamber; we had some discussion, and which ended in a request, on their part, that I would present in writing the sum of what I had said, or wished to say, either on the points depending, or any others I might find necessary to bring before them, and which I readily promised to do.

By this time I had obtained from Mr. Skipwith a comprehensive statement of the embarrassments attending our trade here; as well those which proceeded from the cruisers of the Republic, and applied to what was destined or cleared out for foreign countries, as those which proceeded from the commercial system of France and applied to the direct commerce between the two Republics. As his report to me specified not only each particular cause of complaint, but likewise furnished facts to support them, I thought it best to make that report the basis of this my second communication on that head. I accordingly laid it before the committee, with such comments as appeared to me suitable; and I now transmit to you a copy of it, that you may be apprized how fully the subject is before them. I was assured that it exhibited a picture which shocked them; for these evils, progressing with the course of their own affairs, were long accumulating, and had probably attained a height of which they had no conception.

As I had reason to suspect, that the chief opposition proceeded from those who conducted the public trade, and who were attached to that mode, from motives not the most patriotic, I thought it proper to examine the question; whether it were best for the Republic to encourage the competition of individuals in neutral countries, for the supply of its markets, or depend on agencies employed in or sent to those

countries for that purpose. This subject had been incidentally touched in my first note; but I thought some benefit might be derived from a more thorough developement of it. With this view I sent in, at the same time, the paper entitled, "Supplemental observations on the American commerce."

I felt extremely embarrassed how to touch again their infringement of the treaty of commerce; whether to call on them to execute it, or leave that question on the ground on which I had first placed it. You desired me in your last, to contest with them the principle, but yet this did not amount to an instruction, nor even convey your idea, that it would be advisable to *demand* of them the execution of those articles. Upon full consideration, therefore, I concluded that it was the most safe and sound policy to leave this point where it was before, and in which I was the more confirmed by some circumstances that were afterwards disclosed.

The day after this last communication was presented, I received a letter from the committee assuring me, that the subject engrossed their entire attention, and that an answer should be given me as soon as possible; and a few days after this, I was favoured with another, inviting me to a conference at 12, the next day. I attended and found only the three members of the diplomatic branch of the committee present, Merlin de Douay, Thuriot and Treilhard. Merlin commenced by observing, that I had advised and pressed them to execute the 23d and 24th articles of the treaty of amity and commerce: That they were persuaded their compliance would be useful to us, but very detrimental to them: It would likewise be distressing for Frenchmen to see British goods protected by our flag, whilst it gave no protection to theirs; and, after making other comments, he finally came to this point: "Do you insist upon our executing the treaty?" I replied, I had nothing new to add to what I had already said on that head. Treilhard seemed surprized at the reply, and expressed a wish that I would declare myself frankly on the subject. I told him I was surprized at his remark, since I had not only declared myself frankly, but liberally. We then passed from the point of demand to a more general discussion of the policy in France to execute the treaty, and in which I urged, that if she considered her own interest only, she ought not to hesitate, since it gave her the command of neutral bottoms, and, under the protection of their own flag, to supply her wants; with other considerations which had been before pressed in my notes that were before them. I was, however, brought back twice again to the question: "Do you insist upon or

demand it?" I found that a positive and formal declaration on this point was the sole object of the interview; and as I perceived that something was intended to be founded on it, either now or hereafter, if given in the affirmative, I was the more resolved to avoid it, and to adhere to the ground I had already taken. I therefore repeated my declaration, and in the most explicit terms, that I was not instructed by the President to insist on it, nor did I insist on it; that their compliance would certainly be highly beneficial to my country, but that in my observations I had considered the proposition merely in relation to France, and wished them to do the same, since I was satisfied that the true interest of France dictated the measure. They all expressed an attachment to us, spoke much of the difficulty of their situation, and of the peculiar delicacy in adopting, in the present state of the public mind, any measure which might be construed as eventually favouring England; and thus the conference ended.

In revolving the subject over since, I have been doubtful whether the solicitude shewn to draw from me a decisive answer to the question: "Whether I insisted, or demanded of them to execute the articles of the treaty," was merely intended as the basis of their own act, complying with it, and a justification for themselves in so doing, or as a ground to call on us hereafter, in the prosecution of the war against England, to fulfil the guarantee. I was, at the moment of the discussion in the committee, of the latter opinion; but I must confess, upon a more general view of all circumstances that have passed under my observation since my arrival, that I am at present inclined to be of the former. I rather think, as there is an opposition to the measure, and it would commence an important change in their system, and might also be construed into a partiality for England (a nation by no means in favour here) that the dread of denunciation in the course of events suggested it. Be this as it may, I am perfectly satisfied it would be impolitic to demand it; since the refusal would weaken the connection between the two countries, and the compliance, upon that motive, might perhaps not only produce the same effect, but likewise excite a disposition to press us on other points, upon which it were better to avoid any discussion. I hope, however, soon to obtain an answer, and a favourable one. If the subject was before the convention in the light it stands before the committee, I am convinced it would long since have been the case: But it is difficult to get it there; for if I carried it there myself, it would be deemed a kind of denunciation of the committee. Yesterday there

was a change of several of the members of that body, and which I deem, from my knowledge of those elected, favourable to our views. Be assured, that I shall continue to press this business with all suitable energy, and in the mode that shall appear to me most eligible; and, in the interim, that I will do every thing in my power to prevent abuses under the existing system.

Upon the subject of the fifteen thousand dollars, advanced for the emigrants from St. Domingo, I have made no formal demand, because I wished the other points, which were depending, settled first; from an apprehension that if they granted several little matters, it would fortify them in a disposition to reject those that were important. I have, however, conferred informally upon it, and have no doubt it will be peremptorily allowed. I think, therefore, this should be calculated on by the department of the treasury. I shall certainly bring it before them shortly, as I shall immediately the affair of the consul in the Isle of France; upon which latter point, however, permit me respectfully to add, that the appointment of a person, not an American, perhaps an Englishman, to the office of consul, has not only been the cause of the disrespect shewn to our authority, but even of the embarrassments to which our countrymen were exposed there.

With respect to the business with Algiers, I have not known how to act. It will be difficult for France, in the present state of affairs, to support the measures of our resident in Portugal, or for them to concert any plan of co-operation. It seems, however, in every view, proper to rid ourselves of the person in Switzerland, who I understand has been in readiness to prosecute the business for some time past. I have, in consequence, written him a letter in conformity to your idea, of which I enclose you a copy, and which I presume, he will consider as a respectful discharge. I am inclined to think France will co-operate with us upon this point, and if any plan can be adopted by which she may forward the measure of Colonel Humphreys, I will endeavor to avail him of it. But certainly if it is expected that her aid will be efficacious, or that she will embark with zeal in the business, the whole should be concerted and executed from this quarter. Perhaps, as I have heard nothing from Colonel Humphreys, the business is now done, or he is pursuing it without calculating upon any aid from France. A letter which was presented me by Mr. Cathalan, our consul at Marseilles (and who is now here, as are Mr. Fenwick, Dobrée and Coffyn, a son of

Mr. Coffyn, consul, and who came here to represent his father,) from captain O'Brien, and which I now enclose, will shew you the state of the business in August last. Be assured I shall be happy to render my country any service in this distressing business, in my power, even by visiting Algiers if it were necessary.

I have enquired into the character of our consuls at the several ports: I mean those who are Frenchmen; for Mr. Fenwick is well known, viz. La Motte at Havre; Dobrée at Nantes; Coffyn at Dunkirk and Cathalan at Marseilles, and find them likewise all men of understanding and of excellent reputation, attached to our country and grateful for the confidence reposed in them. If displaced, it will subject them to some censure: I do not, therefore, wish it; though I most earnestly advise that in future none but Americans be appointed.

I was extremely concerned, upon my arrival here, to find that our countryman Mr. Paine, as likewise Madame La Fayette were in prison; the former of whom had been confined near nine months and the latter about two. I was immediately entreated by both to endeavour to obtain their enlargement. I assured them of the interest which America had in their welfare; of the regard entertained for them by the President, and of the pleasure with which I should embrace every opportunity to serve them; but observed, at the same time, that they must be sensible it would be difficult for me to take any step officially, in behalf of either, and altogether impossible in behalf of Madame La Fayette. This was admitted by her friend, who assured me, her only wish was, that I would have her situation in view, and render her, informally, what services I might be able, without compromising the credit of our government with this. I assured him she might confide in this with certainty, and further, that in case any extremity was threatened, that I would go beyond that line and do every thing in my power, let the consequence be what it might to myself, to save her; with this she was satisfied. She still continues confined, nor do I think it probable she will be soon released. I have assured her, that I would supply her with money and with whatever she wanted; but as yet, none has been accepted, though I think she will soon be compelled to avail herself of this resource.

The case was different with Mr. Paine. He was actually a citizen of the United States, and of the United States only; for the revolution, which parted us from Great Britain, broke the allegiance, which was before due to the crown, of all those who took our side. He was, of course, not a British subject,

nor was he strictly a citizen of France; for he came by invitation, for the temporary purpose of assisting in the formation of their government only, and meant to withdraw to America when that should be completed: And what confirms this, is the act of convention itself arresting him, by which he is declared to be a foreigner. Mr. Paine pressed my interference. I told him I had hopes of getting him enlarged without it; but if I did interfere, it could only be by requesting that he be tried in case there was any charge against him, and liberated in case there was none. This was admitted. His correspondence with me is lengthy and interesting, and I may probably be able hereafter to send you a copy of it. After some time had elapsed without producing any change in his favour, as he was pressing and in ill-health, I finally resolved to address the committee of general surety in his behalf, resting my application on the above principle. My letter was delivered by my secretary, in the committee, to the President; who assured him he would communicate its contents immediately to the committee of public safety, and give me an answer as soon as possible. The conference took place accordingly between the two committees, and, as I presume, on that night, or the succeeding day; for on the morning of the day after, which was yesterday, I was presented by the secretary of the committee of general surety, with an order for his enlargement. I forwarded it immediately to the Luxembourg and had it carried into effect, and have the pleasure now to add, that he is not only restored to the enjoyment of his liberty, but in good spirits. I send you a copy of my letter to the committee of general surety, and of their reply.

Since my last the French have taken Coblenz, and some other post in its neighbourhood; they have likewise taken Pampeluna, and broken the whole of the Spanish line through a considerable extent of country. About twenty standards, taken from the routed Spaniards, were presented to the convention a few days past.

I likewise send in the enclosed papers, a decree respecting the Jacobins; by which all correspondence between the different societies is prohibited, as likewise is the presenting a petition to the convention in their character as such, with some other restraints I do not at present recollect.

From Mr. Monroe, to the Committee of Public Safety.

Paris, October 18th, 1794.

UPON the several subjects on which I addressed you on the 17th Fructidor (September 3d) viz. The embargo of Bourdeaux; the supplies rendered to the government of St. Domingo, and the departure by France from the 23d and 24th articles of the treaty of amity and commerce subsisting between the two Republics, I have but little to add at present. The two former were matters of account only, and could of course involve no topic for discussion between the committee and myself. I had only to ask for such dispatch in the adjustment and payment, as the exigence of the parties and the circumstances of the Republic would admit of. Nor shall I add any thing upon the third point to change the principle upon which I rested it. The committee will, therefore, be pleased to decide upon each, under the considerations which have been already urged.

I likewise stated in that note, generally, the embarrassment under which our commerce laboured in the ports of the Republic. A general view was all I could then give: But the appointment of a consul for this city has since enabled me to obtain a more circumstantial and accurate statement on this head. This officer has already examined it with great attention, and reported the result to me, a copy of which I now lay before you. It presents to view a frightful picture of difficulties and losses, equally injurious to both countries, and which, if suffered to continue, will unavoidably interrupt, for the time, the commercial intercourse between them. I trust, therefore, the causes will be immediately removed, and suitable remedies adopted; and in this I am the more confident, because those which would be deemed adequate will not, in any degree, interfere with the internal police or regulations of the country.

I also suggested in my former note, that however necessary it might be for France to avail herself of agents in America at the present crisis, for the purchase and shipment of supplies thence here, it should not be relied on as a principal resource. The more attention I have since paid to this subject, the better satisfied I have been of the justice of that remark. I have, therefore, thought it my duty to add some further observations on it, and which I now beg leave to submit to your consideration in the annexed paper.

You will observe, the consul has likewise comprized in his report the cases of many seamen and other persons, citizens of the United States, taken at sea or elsewhere, and who are now held as prisoners in confinement. I hope an order will be issued for their immediate enlargement; and, as it is possible many others may be in like situation, that it may be made to comprehend all the citizens of the United States, not charged with any criminal offence against the laws of France; and of which latter description I hope there are none. The committee will, I doubt not, designate such species of evidence necessary to establish the right of citizenship in doubtful cases, as it will be practicable for the parties to furnish.

Permit me to request an early decision upon these subjects, that I may immediately communicate it to our government. The Congress will commence its session in a few weeks, and it is the duty of the President to lay before that body, and at that time, the state of public affairs; comprizing, as the most interesting particular, the conduct and disposition of other nations towards the United States. Information upon these points will of course be expected from me, and I should be mortified not to be able to give such as would be deemed satisfactory.

(Signed)

JAMES MONROE.

*Supplemental Observations to the note of the 3d of September, upon
the American Commerce.*

THAT France will have occasion, whatever may be the crop for the present year, for supplies of provision from foreign countries for the next, is certain. These must be obtained from the neutral countries, and chiefly from the United States of America. It is important for her to ascertain how they shall be obtained, and brought into her ports with greatest certainty and least expense.

There are but two possible ways or modes by which these supplies or any others can be brought here, which are: First; by public exertion, or by agents in those countries; whose duty it is to purchase the articles in demand, and send them here on public account: And secondly; by the enterprize of individuals. Both shall be impartially examined.

First, as to the certainty; and which will depend upon prompt purchases, safe carriage and integrity of the agents.

As soon as agents arrive in America, it will be known to the commercial interest in every quarter. When ever they appoint sub-agents, this will likewise be known. When it is intended to make purchases and shipments, this will be known. The movement of vessels to take in cargoes will be observed. Immediately a combination will be formed among the merchants of the place, who will buy up all the flour, &c. with a view of taking an advantage of the emergence, and this will raise the price and create delay. A monopoly naturally revolts the society against it, and this will add a new stimulus to the otherwise sufficiently active one of private interest, to speculate and prey upon these agents, and of course upon the embarrassments of their country.

But the purchase is finally made and shipped for France; the ships are at sea; the property belongs to France, and the ships, though American, give no protection, by the ancient law of nations, which is in force where not otherwise regulated by treaty, and of course with England. The cargo of every vessel which shall be taken will be condemned; and will not many be taken? The movements of this agency will be well known to the British administration, and it will be employed to counteract it in the purchase and upon the sea. It will be apprized of the ports from whence shipments will be made, and have vessels of war stationed to seize them.

It is the nature of an agency to be at war with every other mode of supply. The amount of its profits will depend upon the exclusion of every other; for every cargo which shall arrive from another source, will take from it so much. It will, therefore, see with jealousy the commencement of enterprizes of this kind, and deem each in the degree a robbery of its own resources. It will fear that not only the amount of its profits will be diminished, but that the funds upon which any are to be made, will be exhausted. It will, therefore, discourage these enterprizes, by hinting that the Republic does not want them; that it has no money to pay for them; that the captains and supercargoes are ill-treated in France by delay, &c. It will be the interest of the agency to crush every other mode of supply, and it will accomplish it, unless the wisest precautions are used to prevent it.

These latter observations apply to the motive of interest only, supposing the agency disposed to discharge the trust as faithfully as it could, making, at the same time, the greatest profit for itself and which would generally be done. But let

it be supposed that it was capable of defrauding the public as much as possible, without being detected. In that case it would have additional motives for discouraging private adventurers; because as these would flock to the market and bid one against the other, they would keep the price at its proper level, and thus check its conduct, for if it charged more than they (allowing for the difference of the commission) it would of course be convicted of fraud. And if capable of fraud, other and numerous temptations to seduction might be counted. The chief agent would be known to the British administration. Suppose France in great distress for bread and without any other resource. The withholding it might bring on a crisis in her affairs, and which might terminate in an arrangement that would applaud the agent for his perfidy. Would he not be an object for the British administration to assail, and would it be proper that France and the French Revolution should be thus made dependant on agents in foreign countries.

As to the comparative expense, there can be no question upon that point. The commission itself will be a considerable thing, in addition to which the freight will be increased; for if American vessels are employed, the owners will charge more on account of the hazard, than if there was none, and which would be the case if the property was their own: Not to repeat the increased price which would be demanded by the agents, in consequence of the combination among the merchants, to take advantage of circumstances which would be known to them; nor to suggest that, under any probable modification, it would be the interest of the agents to give the highest price possible.

Besides, funds must be raised somewhere to answer the drafts of these agents: Will it be in the sea ports, in Paris, Hamburgh, or some other neutral town? The former, as heretofore, will probably be in a great measure declined; and if the latter is adopted, how will they be raised there? By the exportation of the productions or other commodities of the country; incurring thereby the expense of double commissions, storage, the hazard of the sea and of the enemy, together with the further inconvenience of overstocking the market, and raising, at the same time, such town to grandeur, by making it the entrepot of French provisions, whilst her own were impoverished?

Every thing that has been said or can be said against a chief dependence on agencies, forms an argument in favour of encouraging the ordinary private trade by individuals, and

shows that the supply by that mode might be made more sure and cheap. If France would regulate things so that the parties bringing provisions into her ports were paid immediately and dispatched, she might command, if necessary, the whole produce of America. Nor would it be necessary that the payment be always in specie: On the contrary, return cargoes would more frequently be taken of productions, manufactures and of prize goods.

The above is a short sketch of the conveniencies and inconveniencies which attend the two modes of supply. The one which commences in a monopoly will be attended with all the inconveniencies which belong to monopolies in general, greater expence, disgust to all parties affected by it, &c. &c. with others which are peculiar to it: For other monopolies of foreign trade, are confined to luxuries of little importance, and of countries whose citizens cannot send them to market; whereas the present one is a monopoly of the necessaries of life in great demand here; to be obtained from countries whose citizens can best supply them, and at a crisis of affairs when the failure may hazard every thing valuable to France, and when of course it should be most avoided. Whilst on the other hand, the latter, which is a system of free trade, will not only be free from these objections, but enjoy some benefits which are peculiar to it. It will leave commerce in the hands of individuals and under the protection of the flags of both countries. If it was made known that France would protect the neutral commerce, the merchants would have a new encouragement to enterprize, and the neutral powers would be more decisive in vindicating their own rights. The French flag would be deemed the guardian of trade and the asserter of the freedom of the seas. The American merchants would behold it with pleasure, because they would find under its banner, not only the friendly welcome of their ally, but likewise a safety from the pirates of the ocean. If the demand in France was great, it would be known in the United States, whose merchants would immediately supply the demand. And if it was interrupted on the sea by the vessels of another power; what would be the obvious effect of such interruption? Might not France oppose it, and conduct the vessels safe to her ports, and would it not rouse the nation injured to vindicate its rights and protect its own commerce?

Unhappily, France has adopted a different policy towards us heretofore. Instead of encouraging individuals to supply her market, she has given them every possible discouragement which could be devised. Instead of protecting our com-

merce at sea, and leaving us to seek reparation for the injuries which were rendered us by other powers, she has rendered us like injuries, and thus embarrassed our councils. But it is not too late to change this system of policy. The Americans have lamented it not more on their own account than that of France. It has, as yet, left no unkind impression behind it; and, if the necessary regulations are made, commerce will soon resume its ordinary course.

I do not, by this, object to the plan of supplying by agency altogether: On the contrary, I deem it necessary; because I think it proper for France to avail herself at the present crisis, of every resource within her reach. I only wish, that it be not relied on as the sole one, and which it will certainly be if the wisest measures are not adopted at home, to encourage the ordinary private trade, and to restrict and otherwise guard against any misconduct in the agency abroad.

The Committee of Public Safety to the Minister Plenipotentiary of the United States of America.

Paris, 30th Vendemiaire, 3d Year of the Republic.

(October 21st, 1794.)

WE have received your letter of the 27th of this month, with the pieces annexed. They merit our profound attention. We will hasten to examine the complaints which are therein exposed, and we hope that the result of our deliberations will be as satisfactory to your fellow citizens, as conformable to the principles of fraternity and attachment which have always guided the measures of the government of the French Republic towards its good and faithful allies the United States of America.

(Signed)

MERLIN, TREILLARD,
RICHARD, DELMAS.

From Mr. Monroe, to the Committee of Sureté Generale.

Paris, November 1st, 1794.

IN all cases where the citizens of the United States commit themselves to the jurisdiction of the French Republic, it

is their duty to obey the law, in consideration of the protection which it gives, or otherwise submit to its penalty. This principle is unquestionable; it belongs to the nature of sovereignty, and can never be separated from it. All that my countrymen thus circumstanced have a right to claim of me as their representative, is to see that they have justice rendered them, according to the nature of the charge, and their offence, if they have committed any, by the tribunals whose duty it is to take cognizance of it.

I hope that few cases will ever happen where the conduct of an American citizen will become the subject of discussion here, before a criminal tribunal. In those cases which may happen, if any do, I shall repose entire confidence in the justice of the tribunal, being well satisfied, that if any bias existed in the bosom of the judge, it would be in favour of my countrymen. To hasten their trial before the judge, where one was deemed necessary, is, I am persuaded, the only point upon which I shall ever feel or express any solicitude.

I should not, at this present crisis, call your attention to any case of the kind, if I were not impelled by considerations of peculiar weight: Considerations which I know you will respect; because every succeeding day more fully demonstrates how thoroughly the whole French nation is devoted to the cause which gives birth to them. The great efforts which it has already made and is now making in favour of the public liberty, sufficiently shews how highly it estimates that blessing, and gratitude to those who have served that cause is deemed by you inseparable from a veneration for the cause itself.

The citizens of the United States can never look back to the era of their own revolution, without remembering, with those of other distinguished patriots, the name of Thomas Paine. The services he rendered them in their struggle for liberty have made an impression of gratitude which will never be erased, whilst they continue to merit the character of a just and a generous people. He is now in prison, languishing under a disease, and which must be increased by his confinement. Permit me then, to call your attention to his situation, and to require that you will hasten his trial in case there be any charge against him, and if there be none, that you will cause him to be set at liberty.

From Mr. Monrøe, to Mr. Chaudmont.

Paris, October 13th, 1794.

I was lately advised by the Secretary of State, that the negociation of a treaty with Algiers had been committed to Colonel Humphreys, our minister at Lisbon; and that of course every movement having that object in view, must be conducted under his care. Your agency, if carried into effect, must of course be in that line. I give you this information, that in case you wish to render your services in that respect to the United States, you may communicate the same to Colonel Humphreys; who will, I doubt not, pay every attention to it, that a sense of your merit and existing arrangements will allow of. I have also the pleasure to inform you, that the President has approved of the measures taken by Mr. Morris, and of the confidence reposed in you by him; in relation to that object.

[No. VI.]

FROM MR. MONRØE, TO THE SECRETARY OF STATE.

Paris, November 20th, 1794.

SIR,

I was favoured about five weeks past with a letter from Mr. Cardoqui, minister of finance in Spain, inclosing one for Mr. Otto, formerly in America, and at present chief of a Bureau in the department of foreign affairs; mentioning the decline of his health, and requesting my co-operation with Mr. Otto, in soliciting of this government, permission for him to visit certain baths within the Republic. This application surprized me. The season I knew was too far advanced for him to derive any benefit from the waters, and I was not apprized that those suggested were better than others within his reach: Besides, Mr. Cardoqui and myself were, in consequence of a collision on the much litigated question of the Mississippi, not on the best terms while in America; certainly not on such as to authorize an application of this kind to me. The disguise was therefore too thin to hide from me the true object; I immediately inferred, that it was the body politic of Spain that was disordered, and not the animal one

of Mr. Gardoqui. As I did not wish to become the instrument of Spain in this business, or incur the slightest suspicion of the kind, since I well knew it would benefit Spain at the expense of the United States, I declined delivering his letter to Mr. Otto, or answering, for the time, that of Mr. Gardoqui to me. About three weeks afterwards, I received a second letter, which confirmed me in the opinion first taken up, that the object was to open the door, through me, to the commencement of a negotiation for peace. I found, therefore, that it became my duty to take some step in regard to this business, and was, in consequence, resolved to shape my course in such manner as to make the incident, if possible, productive of some good to the United States, if of none to Spain.

When I reflected that we had interfering claims with Spain, as well in respect to the boundaries as the Mississippi, and that we had a minister there negotiating upon those points; that the negotiation was closed without a satisfactory adjustment, and that Spain was probably in concert with England, exciting the Indians against us, I was from these considerations inclined to deem this movement of Mr. Gardoqui an insidious one. I was the more so from the further consideration; that he had made this application to me without the knowledge of Mr. Short; through whom it ought to have been made, had the proposition been a candid one, and founded on any claim of Spain upon the United States. I was, therefore, the more resolved to suffer myself to be restrained by no unnecessary and false motives of delicacy towards Mr. Gardoqui, in the manner in which I should treat the subject.

I was persuaded that a peace between France and Spain, at the present moment, whilst our claims were unsettled, must be prejudicial to the United States. Such a peace would free Spain from a pressure, which at present shakes her monarchy to the foundation. By continuing the war, it enables the United States, in case they should take decisive measures, to do what they please with that power. For it is not reasonable to suppose, when the French troops are over-running a great part of Spain, and her whole force is exerted for her protection at home, that she would be able to make a respectable opposition to any effort we might make on the other side of the Atlantic. But a peace with France would remove such pressure, and leave the Spanish government at liberty to act with its whole force against us.

I was likewise persuaded, it was the interest of France to have our accommodation in view, and to give her aid in forwarding our arrangement with Spain at the same time that she

adjusted her own; for if she should close a peace with that power whereby she left it at liberty to act against us singly, or jointly with England; in case of a war with the latter, she would not only expose us to great and unnecessary detriments, but likewise hazard the probability of being drawn into it again, in case it should take an adverse course in regard to us.

Upon full consideration of all these circumstances, I thought it best to lay the letters of Mr. Gardoqui before the committee, with my free comments upon them. I did so, and told them explicitly, that, in my opinion, it was the wish of the Spanish court to commence a negotiation, and that it had addressed itself through me, to inspire a distrust in me, by creating a belief, that the United States were more friendly to Spain and Britain, than to France. I explained fully our situation with both those powers, assuring them that we were threatened with a war from both. I also mentioned the indelicacy and artifice of Mr. Gardoqui, in applying to me without the knowledge of our minister at that court; and resting it upon a ground of ancient friendship, which never existed to any great degree. I assured them, at the same time, that if I could be of any service in forwarding their wishes in regard to peace, in the present or any other instance, it was the wish of the United States I should be, and would personally give me great pleasure to render it. I intimated also the danger which would attend a peace between the Republic and Spain, unless our differences should be compromised at the same time. The communication was well received, and the business terminated in an arrangement by which I was to answer Mr. Gardoqui's letters, declining any agency in the business myself; advising him, at the same time, to make his application directly (in case he continued indisposed) to the committee, and from whom I was persuaded, he would obtain a satisfactory answer. This was accordingly done in a letter which was forwarded about five days past.

In the close of this affair, I was invited by the diplomatic members of the committee of public safety, to a conference upon a new topic. I was informed it was their intention to press the war against England in particular; but that they were distressed for funds, and was asked, could any aid be obtained from the United States? I told them I was satisfied if it was in their power, it would be rendered; that I possessed no power on the subject, and could only advise of the probability, &c. that, with their permission, I would put on paper such ideas as occurred to me in respect to that point, and upon which I would afterwards more fully confer. This inci-

dent furnished me with a new opportunity of pressing more forcibly the propriety of their securing for us the points in discussion with England and Spain, at the time their own peace should be made with those powers. I send you a copy of the paper delivered to them to-day, and to which I have as yet received no answer.

Whether France will make any arrangement upon this point with us, I cannot tell. When I mentioned in the committee the danger which menaced us, of a war with Britain and Spain, and asked what reliance we might have on France in such event, I was answered, they should consider ours as their own cause. No other arrangement can well be made, than that of lending money to France, if in our power; it being understood that she will secure at the time of her own peace, the complete recognition of our rights from Britain and Spain, and which she may easily do in my judgment, and without prolonging the war a moment, on that account.

On the other hand, if the United States ever mean to assert those rights, the present is, of all others, the most suitable moment. The fortune of France has risen to the utmost height of splendor; whilst that of her enemies has declined to the lowest state of depression. Her armies are every where triumphant, whilst theirs are every where routed and broken. Spain makes no head against her; but is trying, as already shewn, to steal a peace in obscurity. And Britain is, perhaps, in nearly as bad a situation. Maestricht has lately surrendered; whereby eight thousand troops were yielded with about three hundred pieces of cannon, two hundred and fifty-seven of which were brass; with other warlike stores and in great abundance. Nimeghen was likewise taken a few days afterwards, with considerable amount in stores; and, it is said, that commotions are taking place in five of the provinces, who have formally resolved to dismiss the Stadtholder; reform the government by the republican standard, and ally with France. This must be felt in England and will probably excite disturbance there. In any event it will produce such effect, that if America strikes the blow her own interest dictates, and which every other consideration prompts, it must be decisive, and if not ruinous to the fortunes of that proud and insolent nation, will certainly secure us the objects we have in view.

If I hear further from the committee about the proposition for a loan, &c. I will advise you of it by the French minister who leaves this in about five days. By the paper which I send, you will understand how far the point has been discussed, of

the propriety in France to support our claims against Britain and Spain; the opportunity for which was furnished by my friend Mr. Gardoqui, and you will soon be able to ascertain from the minister, what his powers on that head are.

Within a few days past, two deputies were appointed by the committee of public safety, by consent of the convention, to some important trust, but whose names and office are unknown. It is supposed, they are commissioned to treat on peace with some one of the powers, and which is most probable; but with which of the powers, or whether this is the object are only matters of conjecture.

I apprized you in a late letter, that I had written to Colonel Humphreys, and was endeavouring to concert with him, if possible, the mode by which the aid of this government, if disposed to grant it (and which I presume to be the case) may be given him in the negociation with Algiers. As yet, I have not heard from him. As soon as I do, provided I find it necessary, I will apply for the support contemplated. Previous to this it will be improper. Touching this subject, I send you a proposition from the government of Malta, presented by its chargé d'affaires here, to be forwarded for your consideration. You will give me, for that government, such answer as shall be deemed suitable.

Within a few days past, the hall of the Jacobins was shut up by order of the convention. That body was constantly at work to undermine and impair the regular and constituted authority of the government. Moderate measures to check its enormities were found only a stimulus to greater excesses. This last step was therefore taken, and there is reason to fear its dispersed members will still continue to provoke, by some rash measure, the indignation of the convention to such a height, as to bring upon them a degree of severity it were better to avoid. Within a few days past also, the commission to whom was referred the charge against Carrier, formerly representative at Nantes, has reported there was ground for accusation; and to-day, it is believed, the convention will approve the report, and consign him over to the revolutionary tribunal, who will, with equal certainty, and with the general plaudit of the nation, doom him to the guillotine.

From Mr. Monroe, to the Committee of Public Safety.

Paris, November 13th, 1794.

I RECEIVED some weeks past, a letter from Mr. Gardoqui, minister of the Spanish finances, inclosing one to my care for Mr. Otto, then in the department of foreign affairs, requesting me to present it to him. As I did not wish to be the channel of communication from Mr. Gardoqui to any citizen of France, whatever might be its object, and whether of a private or public nature, I resolved, neither to deliver the letter, nor give an answer for the time, to that which was addressed to me. And I was the more inclined to this, from the persuasion, that, if of a private nature, the delay could be of no great importance, and, if of a public one, and especially upon an interesting subject, that when it was found I attended only to the concerns of my own country, and did not chuse to interfere in those of Spain, that he would take some course more direct for the attainment of the object in view. As some weeks had now elapsed, I took it for granted, that this was the case. In this, however, I have been disappointed; for I was favoured within a few days past with a second letter from Mr. Gardoqui, in which he enters more fully into the object of the first communication. Finding, therefore, that he still addressed himself to me, notwithstanding the discouragement already given, I deemed it necessary, not only to examine more attentively the object of this communication, but likewise to adopt, definitively, some plan in regard to it. Nor had I much difficulty in either respect; for when I recollected that he was a minister of Spain, and observed that his letters, as well that to Mr. Otto, and which I have since examined, as those to me, expressed only a wish to be admitted within the government of France, to attend some baths, I could not but conclude, that this was the ostensible motive whilst some other in reality existed. And in this I am the more confirmed from a recollection of the relation in which Mr. Gardoqui and myself formerly stood in America, to each other, and which, on account of my strong opposition in the Congress to his proposition for secluding the Mississippi, was not the most amicable one. From that consideration, I do not think he would solicit a correspondence with me for a trifling object. What other then must be the motive? In my judgment, there can be none other than the hope of thereby opening the door for the commencement of a negotiation for

peace, and that the Spanish court has availed itself of this mode of making that wish known to you.

Presuming then that this was in truth the object, it remained for me only to decide what course I should take in regard to Mr. Gardoqui's communications; nor could I hesitate long upon this point; for I well knew it was of importance to you to become acquainted with the disposition of other powers towards the French Republic. I have therefore deemed it consistent with that sincere friendship which the United States bear towards you, and the interest they take as your ally in whatever concerns your welfare, as well as with that candour which I mean to observe in all my transactions, to lay the letters before you; knowing their contents you will be enabled to determine how to act in regard to them. As it respects the United States whom I serve, or myself personally, it can be of no importance to me to be acquainted with the result; since I doubt not, that under the wise councils of the Republic, the revolution will progress to a happy close: But permit me to assure you, that if I can be of any service to the French Republic, in regard to the answer to be given to this communication, it will give me the highest satisfaction to render it.

From Mr. De Gardoqui, to Mr. Monroe.

Madrid, September 9th, 1794.

MY DEAR SIR,

BEING informed of your arrival at Paris, with the character of minister from the United States, I beg leave to renew you our old friendship in America, and congratulate you on your safe arrival, where I sincerely wish you all manner of happiness. Permit me, dear sir, to trouble you with the enclosed letter for my friend Mr. John Otto, whom we knew in New-York, as chargé d'affaires from France; for I learn by Mr. Short, that he is in Paris, and it regards me particularly that it comes to his hands safely. Should he, however, be absent, I should be glad you would open it, and should be extremely obliged to you, if you could procure me the contents, which I hope will be the means of re-establishing my health.

Excuse me, Dear Sir, the liberty I take in giving you this trouble, and if in my public or private character I can

render you any service, you may freely command. My best respects to your worthy Mrs. Monroe, and to Mr. Jay, if with you.

Yours, &c.

(Signed)

JAMES DE GARDOQUI.

From Mr. De Gardoqui, to Mr. Monroe.

Madrid, 7th October, 1794.

MY DEAR SIR,

ON the 9th ultimo, I did myself the honour of writing you, inclosing a letter for our friend Mr. John Otto, in which I begged he would procure me a permission from the French government, to drink the waters of Bagneres de Luzon, for a fortnight, my health being very much impaired by the constant attention of my ministry of finances. This letter went through the hands of the commander of the French army, on the frontiers of Catalogne; but am uncertain whether it came to your hands, and am sorry for it, as my health declines, and would be extremely obliged if you could help me to get such a permission.

I have a further favour to ask of you, my dear Sir; it is, that you would endeavour to procure the release of a particular friend of mine, Colonel of the militia regiment of Eciija, whose name is Don Antonio Alcala Galiano, who was made prisoner in the garrison of Bellegarde; he is a man of honour, and will by no means forfeit his word; should you therefore be able to get his release, on parole, or in a way that he may agree to, I shall esteem it in the highest degree; if at the same time he should require any money assistance, I beg you would deliver him, assured of his receipt being punctually paid by me with any expence that you may be at on account of those troubles.

Pardon me the liberty I have taken, and believe me, that I shall think myself happy whenever I receive any of your friendly commands; being with sincere regard and esteem,

Yours, &c.

(Signed)

JAMES GARDOQUI.

Pray, endeavour to get my permission; for you know me too well not to assure the government that I am not a man to be suspected of.

From Mr. Monroe, to Mr. Gardequi.

Paris,

I HAVE been favoured with your two letters lately, and can assure you that the pleasure I should otherwise have derived from a renewal of our former acquaintance, was sensibly diminished by the information they contained of the decline of your health: And I am sorry to add, that considerations of peculiar delicacy render it impossible for me to take that part, in the means necessary in your judgment for its restoration, you have been pleased to desire. You will naturally infer what these are, without my entering into them, and ascribe to these, and these only, my not aiding you in that request. I beg of you, however, to make your application to the committee of public safety, directly, and from whom I doubt not you will readily obtain an answer, which will be satisfactory to you; for I am well convinced, that the circumstance of an existing war will form no obstacle to your admission into the country, upon an occasion so interesting to yourself. Be assured, if the officer, your friend, whom you speak of, falls within my reach, I will be happy to render him any service in my power, being well satisfied of his merit from your recommendation.

From Mr. Monroe, to Colonel Humphreys, Lisbon.

Paris, November 11, 1794.

SIR,

I HAVE lately received a letter from the Secretary of State, mentioning that the power to treat with the regency of Algiers was committed to you, and that the aid of this Republic if attainable must be thrown into that line. I was likewise apprised by Mr. Morris, of some measures taken by him in concert with the government here, relative to that object, but which were unconnected with you. As I have reason to think you possess powers, flowing from the last session of Congress, I think it possible you have already progressed in the business, and therefore that the aid of this government will be useless. But if you have not, how shall a co-operation be concerted, supposing this government disposed to enter into it? Will it not be necessary for you to come into some part of France, and depart thence with some agent from her? Your thoughts upon this head will be useful; but until I know the state of the business in your

hands, it will be useless and improper for me to occupy the councils of this Republic on the subject. I therefore hope to hear from you on it as soon as possible.

From Mr. Cibon, Chargé d'Affaires of Malta, to Mr. Monroe;

Paris, October 26th, 1794.

THE Chargé d'Affaires of Malta, has the honour to communicate to Mr. Monroe, minister plenipotentiary of the United States of America, the *annexed reflections*, and to request that he will be pleased to weigh them in his mind, and give him frankly the result.

Mr. Cibon seizes this occasion to renew to Mr. Monroe an assurance of the respect and attachment with which he is, &c.

If there are nations who by their position, their industry, and their courage, become naturally opposed to, and rivals of, each other; so there are other nations, who with as much courage and industry, feel a motive to esteem, approach, and unite together, to increase their mutual prosperity, and to render themselves reciprocally happy, by a continual exchange of attentions, regards, and services.

The United States of America and the island of Malta, notwithstanding the distance which separates them, do not appear to be less bound to cultivate a close and friendly union between them, by motives of interest, than they are by those of a benevolent amity.

It is principally towards the Mediterranean, that the American sailors, guided by their industry, present themselves in great numbers, forgetting the danger to which they are exposed, of becoming a prey to the Algerine corsairs who cover that sea.

The island of Malta, placed in the centre of the Mediterranean, between Africa and Sicily, offers by its position to all navigators, an asylum, provisions and succour of every kind. Of what importance would it not be for the American commerce to find upon this stormy sea, fine ports, provisions, and even protection against the Algerine pirates.

In exchange for these succours and protection, by means whereof the American vessels might navigate the Mediterranean freely and without inquietude, would the United States consent to grant, in full right, to the order of Malta, some lands in America, in such quantity as might be agreed on between the two governments, placing such lands under the

immediate protection and safeguard of the American loyalty?

Thus the commerce of the United States would find in the Mediterranean ports to secure it from storms, and vessels of war to protect it against the pirates of Algiers; in exchange for which, Malta would possess in America property granted forever, protected by the United States, and guaranteed by them in a manner the most solid.

From Mr. Monroe, to the Chargé d' Affaires of Malta.

Paris, 22nd November, 1794.

I HAVE received with great pleasure the considerations you were pleased to present to me; pointing out the mode by which the United States of America and the isle of Malta may be serviceable to each other. It is the duty of nations to cultivate, by every means in their power, those relations subsisting between them, which admit of reciprocal good offices, and I am persuaded the United States will omit no opportunity which may occur to testify that disposition towards the island of Malta.

The Americans have, it is true, received already great injury from the Algerines, and it is their intention to adopt such measures as shall prevent the like in future. The island of Malta, by its situation and maritime strength, possesses the means of yielding that protection, and your suggestion on that subject merits, in my opinion, the serious consideration of our government, to whom I have already transmitted it.

The United States possess at present extensive and very valuable vacant territory. It is their intention to dispose of it by sale; by which, however, the right of soil only will be conveyed; the jurisdiction still remaining with them. The government; too of such territory is already prescribed: It must be elective or republican, and forming a part of the existing national system. I have thought proper to add this information, that you may know the powers of our government in relation to this object. Permit me to assure you, that as soon as I shall be instructed thereon, I will immediately communicate the same to you.

From the Minister of the Republic of Geneva, to the Minister Plenipotentiary of the United States of America.

Paris, 29th Fructidor, 2d Year of the Republic.

(September 15th, 1794.)

CITIZEN MINISTER,

I HAVE the honor to inform you, that the government of Geneva, upon receiving intelligence so flattering to our republic, of what passed in the sitting of the National Convention, of the 6th of Fructidor, has suspended in its own municipal house, in sign of joy and harmony, three colours similar to those which float together in the hall of this convention; and that these united emblems of three Republics have excited with us universal applause.

The Republic of Geneva, will hear with sincere pleasure, that the United States of America, instructed by you of this event, have received favourably this testimony of fraternity.

I am happy on my own part, citizen minister, to have been the organ of these sentiments to you.

(Signed)

REYBAZ.

From Mr. Monroe, to the Minister of the Republic of Geneva, at Paris.

CITIZEN MINISTER,

I HAVE received, with great satisfaction, the account you have been pleased to render me of the generous impression which the suspension of the flags of the three Republics of America, France and Geneva, in the hall of the national convention, has excited in the breasts of your countrymen. The standards of Republics should always be ranged together; and I am perfectly satisfied, that this event will be received with equal joy by the government and citizens of the United States, to whom I shall communicate it. I beg of you, citizen minister, to be assured of the solicitude which the government and people of America feel for the freedom, prosperity and happiness of the Republic of Geneva, and of the pleasure with which I shall at all times become the instrument of the most intimate and friendly communications between them.

M

Observations submitted to the consideration of the Diplomatic Members of the Committee of Public Safety.

IT is the wish of the French Republic to obtain by loan, a sum of money from the United States of America, to enable it to prosecute the war.

This is to be expected from three sources; the general government, the state governments, and from individuals.

The French cause and the French nation are greatly regarded in America, and I am persuaded some money may be obtained, and perhaps a very respectable sum, from the three sources above mentioned. For this purpose the minister should possess power to make loans from either of the above parties, and to give such security as the republic shall deem suitable.

The committee, however, should advert to the situation of the United States in regard to England and Spain. Both those countries have encroached upon our rights; the one holding the western posts, in violation of the treaty of peace of 1783, whereby she harrasses our frontiers, by means of the Indians; and the other, by shutting the Mississippi, and likewise exciting the Indians against us to the south: So that the United States are in a kind of hostility with both powers. There is likewise reason to believe, that a convention subsists between Britain and Spain, defensive and probably offensive against us, in support of their respective claims.

In this situation would it be proper for France to make peace with either of those powers, whilst our claims were unsettled with either, and whilst both encroach on our territory? Would it not leave those powers free to attack us united, and, in that situation, would not France be forced again to embark in the war, or tamely look on and see our dismemberment? Could the republic, in short, deem its own peace secure or durable whilst these points remained unsettled between the United States and those powers, and should it not therefore seek an adjustment of the whole at the same time?

I have suggested these considerations in the hope that the committee will give the minister about to depart for America, full power in relation thereto, and in the confidence that a satisfactory assurance on that head would greatly facilitate the object of the loan; for if the United States were assured that they would have no occasion for their own resources to support a war against those powers, it would of course be more in their power to lend them to the French republic.

It must be obvious that France may not only secure these points for us and without any difficulty, but with Spain what-

ever else she pleased ; for I am persuaded that the Spanish monarchy would even agree to open the islands to the world and perhaps even South America to end a war, which endangers the crown itself.

The mode would be by insinuating to both those powers, when France commenced her negotiation, that they must also adjust at the same time their differences with the United States.

The sum which might be raised in America from the different sources above mentioned, upon an assurance of this kind, would, in my judgment, be considerable. In any event, however, I shall be happy to give the minister about to depart every information and aid in my power, in forwarding the object in view.

I submit to you, however, whether it would not be proper to enable me in my letters on that subject, to declare what your sense is upon these points.

From the Secretary of State of the United States, to Mr. Monroe.

Philadelphia, September 25, 1794.

SIR,

My letter of the 30th July last, having been repeated by duplicate, I shall only recommend to your particular and immediate attention the subjects of it.

The spoliations and vexations which are imputable to the French cruizers, and among them the injuries to our rights by treaty, in the case of the ship *Laurens*, together with the severe effects of the embargo at Bourdeaux, have excited, in the individuals interested, a flame, which now and then bursts forth in violent expressions, and which you therefore cannot quiet too soon by a proper adjustment. You will find in the enclosed copy of Mr. Fauchet's letter to me, of the 1st August, the strong assurances which he has given on this head.

Another collection of depredation papers, conformable with the list which accompanies them, is placed under the care of Mr. Boland, who goes to seek compensation on account of the ship *Fame*. It is a strong case, and will back your remonstrances, howsoever pointed they may be. I do not state the minutæ, as his documents speak explicitly, and he himself will be on the spot, ready for further explanation. There is nothing in which you can render yourself so acceptable to an important part of our community as on these occasions. Indeed I flatter myself with the expectation of

hearing shortly of considerable advances towards final success on your part.

Mr. James Anderson has been highly recommended, and his letters have shown him to deserve some degree of notice from our government. He was not suggested to the President in the late appointment of French consuls; because it was presumed from some information, which was received, that the places for which consuls were designated at the last session, were not suitable to his views. You will therefore take the earliest opportunity of inquiring into his character and respectability, and inform us.

A claim of Mr. Cruger is also forwarded to you, in order that you may pursue the same measures relative to it, as in the others of a similar kind.

Mr. Boland has promised to deliver to you your quota of newspapers. From the beginning of August to this day, they contain the late interesting transactions of the four western counties of Pennsylvania. These would have been communicated to you, as they arose, if conveyances to France were not of all others the most difficult to be obtained. You will recollect the murmurs which have long prevailed there against the excise. At length, the house of General Neville, the inspector, was attacked by a large party of armed men in the day, and burnt to the ground, together with most, if not all, the out-houses. Foreseeing that government could not be inattentive, and mixing perhaps some preposterous views of ambition and personal aggrandizement, the leaders, to render themselves formidable, contrived to give an appearance of an universal commotion, and association of sentiment. A large body appeared in arms on Braddock's field, and appointed the 14th of August for the meeting of deputies from all the townships at Parkinson's ferry, inviting the Virginia counties to send deputies also. The President dispatched senator Ross, judge Yates, and our attorney-general Bradford, as commissioners; having first required 12500 militia to be held in readiness, in certain proportions, in New-Jersey, Pennsylvania, Maryland and Virginia. A committee of the insurgents were nominated to confer with them, and to report to a second meeting, to be held at Redstone at a later day. Our commissioners unanimously prevailed upon those with whom they conferred, to agree to urge the people to peace. But the Redstone opinions were not so propitious as those of Parkinson's Ferry. The people there assembled were dissatisfied with the conduct of the former committee of conference, and appointed another,

which, like the former, were unanimous for acquiescence. Still the people themselves were to be consulted, and the 11th September fixed for the taking of their votes. The result has been, that every leading man has subscribed to the terms required by the commissioners; that near three thousand men above the age of sixteen have submitted; that there is no real danger of an opposition in the field. However, the militia having been on their march for some time, and it being certain, that although open resistance will not be found, the laws cannot be executed unless some degree of military force be at hand to support the officers, their movements have not been countermanded. The command is intended for governor Lee of Virginia; but the President goes on towards Carlisle on Monday; where, after every proper arrangement of the troops destined to that place of rendezvous, he will decide whether to proceed or return. The principal information, which is to be procured from the newspapers, will be the first and second proclamation, the representation of the Secretary of the Treasury to the President, and the proceedings of the commissioners. In a day or two their report will be concluded; which will condense the whole state of this business into a small compass. I have not adverted to judge McKean and general Irvine, two state commissioners, who went upon the same expedition; because their functions were necessarily limited to the mere act of pardon, the great offences being against the United States, not the individual state of Pennsylvania. However, you may be assured, that the insurrection will very quickly be subdued; and you cannot err in any political calculation built on this event.

The spirit which the states have manifested is astonishing. Throughout Virginia, to favour the insurgents would be disgrace, and actual personal danger. Some of their emissaries produced a momentary disturbance in Fredericktown, in Maryland, but it was soon hushed by the rapid approach of the militia. In Pennsylvania, from some mismanagement, the call of the militia was not hastily obeyed. But such an enthusiasm has now grown up and been raging for a considerable time, that the very Quakers have entered the ranks and marched to Pittsburg.—New-Jersey seems to be a nursery of warriors, determined to support the constitution. Even the Democratic societies have launched out into a reprobation of the insurgents. All these circumstances combined, while they afford an ample range for speculation on the remote consequences, furnish a conviction, that the energy of the government is, and will be, greatly encreased.

I suspect, that Europe will resound with the idle clamours which circulate here; that the yellow fever has again appeared in Philadelphia, Baltimore and New-York; and that quarantine will be again inflicted on our vessels. But the general and sincere opinion is, that if there be any examples of it within the city, they are too paltry to alarm even the old women or children.

My anxiety to hear from you is multiplied tenfold by my knowledge, that all the sentiments of Mr. Fauchet were deposited in the memory of Mr. Le Blanc, and not committed to writing. That which could not be hazarded upon the possibility of detection must be of an important cast. One thing only is certain, that he supposes a British tendency to prevail in some members of our government, and that the supposition is a copious theme with him. You are possessed of all the means of confronting this idea. *You know how Mr. Jay is restricted:* And I must acknowledge to you, that notwithstanding all the pompous expectations, announced in the gazettes, of compensation to the merchants, the prospect of it is, in my judgment, illusory; and I do not entertain the most distant hope of the surrender of the Western Posts. Thus the old exasperations continue; and new ones are daily added. Judge then how indispensable it is, that you should keep the French Republic in good humour with us.

Spain has, by a conduct similar to that of Great Britain towards us, imposed the necessity of sending an envoy extraordinary thither also: For the negociation is at a stand, on the most unaccountable prettexts. My conviction is firm, that the courts of Madrid and London are cordial in nothing but a hatred against the United States, and a determination to harass them through the Indians.

If, however, a report, which has come many ways, be true, that General Wayne, on the 20th August, left between one hundred and fifty and three hundred Indians dead, on the field near the Rapids of the Miami, their exultation might have fallen, and they will soon be sick of war.

I am, &c.

EDM. RANDOLPH,
Secretary of State.

[No. VII.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, December 2d, 1794.

SIR,

I HAVE at length obtained an answer from the committee of public safety, to the several propositions heretofore presented before it, in an arreté of the 18th ultimo; and which I now transmit to you. By this arreté the commission of marine is ordered to adjust the amount due to such of our citizens as were injured by the embargo of Bordeaux, and likewise to such others as have claims for supplies rendered to the government of St. Domingo. By it also many embarrassments which impeded the direct trade between the two countries are removed: The arbitrary rule of contraband, which authorized the seizure of our vessels laden with provisions destined for other countries, is done away; and the stipulation of the treaty of commerce which gives free passage under our flag to the subjects of any of the powers at war with the Republic, is likewise enforced. In short, every thing has been conceded that was desired, except the execution of that part of the treaty which gave freedom to goods in ships that were so.

I have, in consequence, notified to the commission of marine, that I had empowered Mr. Skipwith to take charge of these claims, and attend their adjustment on the part of our citizens, and I shall continue to give every aid in my power to obtain for them the justice to which they are intitled. In respect to the liquidation, unless, indeed, some difficulty should arise, as to the mode of payment, whether in assignats, or specie, I presume all difficulty is at an end. But in regard to the payment, I think it probable, unless assignats are taken, and which are now depreciated, further delay will be desired, owing to the great expenditures of the government at this very important crisis of its affairs. Upon this, however, I shall be able to give you more correct information in my next.

If the treaty could have been carried into effect, by general agreement, I should have deemed it a fortunate thing; because it would have secured our commerce hereafter from the possibility of vexation, and upon any pretext whatever, by the French cruizers; and because it would have ranged the

French Republic, at an important period of its affairs, on the side of a principle founded in benevolence and necessary to the freedom of the high seas.* But as connected with other considerations more immediately applicable to ourselves; and especially, if the hope of forcing it upon other nations, as a law, is abandoned, I have deemed it of but little consequence. It certainly precludes the probability of our being called on hereafter to fulfil any stipulation whatever, and will of course gain us greater credit for any services we may render them, in case it should suit us to render them any. I am likewise persuaded, from the responsibility the arrêté imposes, and the increasing partiality pervading all France towards us, and which is felt by the Americans and observed by the subjects of other neutral powers, that the execution will not vary much from the import of the treaty itself; for I cannot think that many of our vessels will hereafter be brought in upon the suspicion of having enemy's goods on board.

I informed you some time since, that I was persuaded, if the subject was before the convention, it would readily be granted; and in this I have not only been since confirmed; but in the further belief, that a majority of the several committees was favourable to the object. The dread, however, of denunciation in the course of events, deterred them from adopting it. It was opposed, as was likewise every other change, by a party who would not fail to take advantage of it, should a favourable opportunity occur. The sordid spoilers of the public wealth never forgive those who detect and expose to view their iniquities. And this was the most vulnerable point upon which recrimination could hereafter act: For, as it is contemplated, when the other powers are withdrawn, to prosecute the war against England, with the collected force of the Republic, and this might be construed into a partiality for that nation, it was deemed too hazardous a measure, in respect to the personal safety of the members, to be encountered. In this decision too, it is probable they were the more confirmed, by the necessity of cultivating Denmark and Sweden at the present moment, from whence great resources are drawn in support of the war; whose councils are wielded by Bernstorff, a man believed to be well disposed to a reform in the existing governments of Europe,† and whose fleets are combined with no friendly disposition to-

* Little was it suspected at this time, that we should be ranged on the side of England to support the opposite principle.

† This, however, is not certain.

wards England. They would most probably have pressed to be put on the same footing, and the pressure could not easily have been resisted, after the example was given. As a proof, however, of the disposition of the committee, upon the subject generally, I herewith transmit to you a copy of a report drawn upon my notes by Merlin de Douay, to whom they were referred, and which was informally given me by its diplomatic members.

I apprized you in my last of the 20th instant, of Mr. Gardoqui's attempt to obtain permission to attend certain baths within the Republic; ostensibly upon account of his ill-health, but in my judgment to commence a negotiation for peace (a finesse too often practiced by a certain grade of politicians) and at the same time lessen any weight the United States might have upon that subject, in respect to their own affairs, by inspiring a distrust in me in the outset. I likewise stated to you in what manner I had acted upon that occasion, laying his original letters before the committee, with my free and candid comments upon them: As also the further discussion which took place between the committee and myself in regard to Spain, and to which an incident of a different kind gave birth; in which I exposed, as far as the nature of the case would admit of, the real situation of the United States with respect to Spain and Britain, menaced with war by both; shewing how France would be affected by that event, and of course the part she should take in our affairs at the present moment. To that communication, I have now nothing new to add, having since heard neither from Mr. Gardoqui on the subject of his proposition, nor the committee upon that, or the one which afterwards occurred. I omitted, however, at that time, to transmit to you a copy of my letter accompanying Mr. Gardoqui's to the committee, and which I now inclose for the purpose of presenting that business more fully before you.

I am convinced that this exposition of our situation with Britain and Spain, and to which the incident of Mr. Gardoqui furnished the first opening, has been useful: For before that exposition, I had reason to believe, that it was not only unknown, but that a very erroneous opinion was entertained by many in the committee upon that subject. I thought I had felt the effect of that opinion, created no doubt in the manner you suggest; but as it was not communicated in a way to enable me to take official notice of it, I was embarrassed how to act, or what measure to adopt in regard to it. For a while, as it was circulated only in private, I thought it best

to counteract it, by making the necessary explanation only to those who mentioned it to me. Finally, as I knew the campaign was progressing towards a close, and that the winter was the season for negotiation; and more especially as I feared its commencement with either of those powers, with such improper opinion of our situation with each, because I well knew they would improve it with great dexterity to their advantage; I deemed it my duty to make an extraordinary effort to remove it. With this view I appointed a rendezvous with the diplomatic members of the committee, and which took place accordingly. I was resolved, however, not to meet the imputation as a charge supposed to exist, or which I was bound to answer in case it did. A denial of a charge might beget a suspicion where there was none. I took different ground, by informing the committee, that the war in which they were engaged, like all other wars, must have a termination: That *most* were concluded by the friendly mediation of third powers: That I was well convinced the United States would be happy to render the French Republic any service in their power, in that respect, to bring the present war to a happy close: That it was not their interest to interfere, even by mediation, nor, in my judgment, would they, otherwise than at the instance and by the request of the French Republic, in the hope of promoting thereby the success of their revolution. I observed further, that I wanted no answer to this, and had only given the information, that they might retain it in memory for the purpose of availing themselves of it hereafter, in case it should be found expedient. It was received respectfully, but calmly. By one of the members it was observed: "That having beaten their enemies completely, it belonged to those enemies to determine whether they wished peace or not; and if they did, they would, no doubt, be able to find a way whereby to make it known to the Republic." By another, I was asked: "Whether Mr. Jay was still in London, and whether he intended to come over to Paris, as had been published in an English paper." This was the very suspicion I wished to combat and remove; though indeed, I did not expect it would have been avowed in so abrupt a manner. I replied, I could not tell whether he had returned or not; but that it was impossible the paragraph in the English paper should be true, as he was sent to England upon an especial business only; to demand reparation for injuries, and to which his authority was strictly limited. I then repeated what I had before said of the friendly disposition of the United States towards the French Republic, in all cases, and of the pleasure with which they would, in my judgment, serve it upon the present one,

if in their power. That I was persuaded they would listen to no proposition upon the subject of mediation from any other power; for as it was a business which could not possibly benefit them, they would, of course, embark in it only upon account of their ally. I likewise added, that I knew nothing of the disposition of any power upon the subject of peace; but presumed the success of their armies had disposed them all well towards it; and thus I left them to reflect at leisure upon what I had said; in the belief, however, that the communication must produce a good effect. As this took place prior to the affair of Mr. Gardoqui, and which was more particularly detailed in my last, I have thought proper to communicate it to you, that you may be possessed of every, the minutest, circumstance relative to our affairs upon this very important theatre.

If the subject of a loan is mentioned again here, or in America, that of securing for us the points in question, must likewise be; but as I have said every thing on that head that I can say, having only a right to conjecture, I am not anxious to revive it here. I am, however, persuaded it will be revived with you; for so vast are their armies, and extensive their operations, that they must be distressed for money, and forced to gain it from whence they can. And I sincerely wish we may assist them, if possible, and which I presume it will be, especially if not comprised in the war, and which I think cannot be, although we should immediately wrest from Britain and Spain the rights they have usurped from us. The credit of the United States is such in Europe and America, and their means of reimbursement so unquestionable, especially in the particular of the western territory (an object viewed at present with great cupidity on this side of the Atlantic) that I am persuaded the amount expected might be obtained by loan; and I am equally so, that the people would cheerfully bear a tax, the product of which was to be applied in aid of the French Republic. Upon these topics, however, I have only a right to conjecture, and as such you will be pleased to consider what I have said.*

The day after my remarks upon the subject of a loan were handed in, I was favored with yours of the 25th of September, and which I beg leave now to acknowledge. Finding that my idea of our situation with Britain and Spain was correct, I was extremely happy that I had given that repre-

* The sum the French Republic wanted from us was about five millions of dollars; to be borrowed under the guarantee of the United States, but secured by a mortgage of an adequate portion of their national domains.

sentation of it. The motive for strong union here, on our part, is the greater, and nothing tends so effectually to promote that object as the belief that we are not cordial with England. In consequence, I waited on the committee again, and told them I had received a dispatch from you since our last conference, and that our dilemma with those two powers was even more critical than I had before intimated. Facts of this kind* go further in removing doubts, than any assurances I could otherwise give them. These discussions have enabled me to examine attentively whether it was their real wish that we should embark with them in the war, and I can assure you, that whatever it may have been at any previous stage, upon which I can give no opinion, that at present, I am persuaded they would rather we would not; from an idea it might diminish their supplies from America: But such is their disposition towards us, that I am inclined to think, if the point depended on them, they would leave us to act in that respect according to our own wishes. And I am likewise persuaded, if we do embark in the war, that they will see us through it; and have some hope if we do not, and especially if we aid them in the article of money, that they will support, as far as they will be able, our demands upon Spain and England.

I intimated in my last, that we could not have asked from fortune a more seasonable opportunity for possessing ourselves of those rights, which have been long usurped by Britain and Spain, and that if it was the sense of America ever to possess them, it should not be pretermitted. Britain is certainly not in a condition to embark in a war against us, though we should dispossess her of Canada: She would of course be less apt to do it, if we only placed her troops beyond the lakes. Her own land force was scarcely felt in the present war against France: Nor has she been otherwise regarded than on account of her fleet and pecuniary resources, by which she subsidized Prussia and other powers. But *that* force, small as it was, is greatly diminished, and the combination in which she has been associated appears, not only to be completely foiled, but in a great measure broken. The prospect now before her is, that Prussia, Austria, and all the other powers will extricate themselves from the war, upon the best terms they can and leave her singly to support it against France; and that the latter will be aided by Spain unless a particular combination against us should prevent it; and likewise by Denmark and

* Meaning Wayne's movement on the frontier.

Sweden, if not directly, yet in a manner to produce a serious effect. The preponderance of her fleet, and the wanton and licentious use made of it, have excited the disgust of all nations; who would be pleased to see it reduced, and the present is considered as a favourable time to reduce it. She likewise knows or confidently believes, that it is the intention of France to prosecute the war against her, for the purpose of breaking her maritime strength, and riding the ocean from such a tyrant. At home too she cannot be free from disquietude. The total failure of her operations in this quarter (what they are in the West Indies is better known to you) has excited some uneasiness in the public mind, and proportionally lessened the weight of the court. This was lately shewn in a prosecution against a Mr. Hardy, and in which a verdict was given for the defendant. And should the French take Holland (which nothing but an inundation already commenced can prevent, if even that can) this sensation will of course be increased. Thus circumstanced, what have we to fear from her? Will she, in her decline, bring upon herself another enemy, who can wound her so vitally; for let her merchants and politicians boast as they will of her resources, yet it is well known, if the American demand was cut off, upon which she thrives so much, that it would greatly diminish her revenue and impair her strength. How is she enabled to support her engagements and carry on her operations, but by commerce; and lessened as this already is by the war, how could she sustain such a stroke at the present crisis? From her friendship we have nothing to hope: The order of the 6th November, was war in *fact*, and that has since been modified according to circumstances. Be assured she is infinitely less disposed for such an event at the present, than at any preceding, period. On the contrary, if we only took possession of what we are entitled to, she will readily join with us in reprehending the conduct of her own officers for having transcended their orders.* With respect to Spain, I have nothing new to add, since my last, except that in two days' successive actions, two complete victories were obtained over her troops by those of

* My opinion was, that we should take a strong position in respect to England, and which would not only have put us at ease permanently with France, avoiding in consequence, all the variance and misunderstanding which have since taken place, with that Republic; but, by obtaining from her the aid of her fortunes against England, have commanded from the latter power, and without any danger of war, our own terms. Nor would she in such an event have enquired too strictly into the propriety of our repaying *in kind* to France the obligation we owed her, by guarantying for her four or five millions of dollars, to be laid out here in the purchase of provisions.

this Republic ; unless, indeed, some ingenious sophist, jealous of the honor of Spain should contend, that as they were completely routed on the first, and maintained only a struggling battle on the second, it ought to be called but one. Certain it is, that in the two days' conflict, several thousands were slain, and upwards of two thousand taken prisoners, with their camp on each day, and on one, tents for fifty thousand men.

I promised you, some time since, my comments upon the subject of a consular arrangement, for the ports of this republic. The consuls have been here to confer with me upon the subject of trade, and I have obtained from them their ideas on that of the arrangement which I now inclose you. I will add my own comments on it in my next, and will subjoin the names of some Americans now here, that may be deemed worthy your attention. I think proper, however, now to mention, that Mr. Skipwith will accept the office of consul for this city, and that I think him worthy of it. He is, in my opinion, a sensible of man, of strict integrity, and well acquainted with the duties of the office. The duties of consul here, will be those of consul general, and in strictness the commission should be correspondent. They may, however, be performed under that of consul only ; for I presume *those* in the ports will respect him equally in either character.

From the Commission of Foreign Relations, to the Minister Plenipotentiary of the United States of America.

Paris, 3d Frimaire, 3d Year of the Republic.

(November 24th, 1794.)

You will find within, Citizen Minister, the copy of an *arreté*, taken on the 25th Brumaire last, (18th November) by the committee of public safety, relative to the conduct which shall hereafter be observed in the ports, and by the vessels of the Republic towards neutral vessels and their cargoes. This *arreté* furnishes an answer to the memoir which you presented on the 17th of Fructidor (September 3d.) You will doubtless be fully satisfied with the dispositions which are there announced. You will consider them as a new proof of the desire of our government to maintain and strengthen the good

intelligence which now so happily reigns between our two Republics.

(Signed)

MIOT.

Extract of the Register of Arrests of the Committees of Public Safety, Finance and Supplies.

25th Brumaire, 3d Year of the Republic,

(November 18th, 1794.)

THE COMMITTEES OF PUBLIC SAFETY, COMMERCE AND SUPPLIES, ORDER AS FOLLOWS :

ARTICLE I. The vessels of the United States of America, and those of other neutral powers, shall be permitted to enter freely into the ports of the Republic, and retire from them when they please : Nor shall it be permitted to any constituted authority to retard their departure, or to oblige the captains to sell their cargoes against their will.

ART. II. When the captains or owners of neutral vessels are disposed to sell their cargoes to the public, they shall be paid for them according to the bargain which they make.

ART. III. It is enjoined to all the commandants of naval armaments, fleets, divisions, and squadrons of the Republic, to respect, and to cause to be respected, upon their responsibility, in favour of the neutral and allied powers, the rights of nations and the stipulations of treaties, conforming themselves strictly to the terms of the decree of the convention of the 27th of July, 1793.

ART. IV. In consequence they are expressly prohibited from turning these vessels from their course ; taking from on board of them their captains, sailors or passengers, other than soldiers or sailors actually in the service of an enemy power ; or of seizing the effects or merchandize which shall be found in them.

ART. V. Are excepted from the prohibition contained in the preceding article.

1. Merchandizes belonging to the enemies of the Republic, until such enemy powers shall have declared that the merchandizes of the French shall be free on board neutral vessels.

2. Such merchandizes of the neutral powers also as are deemed contraband of war ; and under which are comprised

all arms, instruments and munitions of war, and every kind of merchandize and other effects destined for an enemy's port actually seized or blockaded.

[ARTS. VI, VII, VIII and IX regulate the manner of proceeding where neutral vessels are brought in, upon a presumption of having enemy's goods on board.]

ART. X. The commission of Marine shall present without delay a statement of the individuals, born subjects of the powers with whom the Republic is at war, who were taken before the present day upon neutral vessels, that particular arretés may be taken in each case.

ART. XI. The indemnities which are due to the captains of neutral powers who were detained by an embargo at Bordeaux, shall be liquidated without delay by the commission of marine and colonies, conformable to an arreté of the committee of public safety of the 17th of Germinal; and this commission shall render an account in the course of ten days, of the actual state of these demands.

ART. XII. The commission of marine is specially charged to receive and adjust the accounts which shall be presented to it by an agent of the United States, for such supplies as the Americans have furnished to the administration of St. Domingo; and it shall take the necessary measures to procure to the parties interested the most prompt justice, and shall also present to the committees of public safety, of finance, commerce and supplies, the result of its operations in these respects.

ART. XIII. The commission of foreign relations is instructed to deliver a copy of this arreté to the minister plenipotentiary of the United States of America, in answer to his memorial of the 9th of Fructidor (September 3d) last.

(Signed)

MERLIN, THURIOT,
CAMBACERES, &c.

No. VIII.

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, January 13th, 1795.

SIR,

I HAVE the pleasure to inform you, that upon the report of the united committees of public safety, legislation,

commerce and finances, a decree has passed the convention since my last, whereby it is resolved to carry into strict execution, the treaty of amity and commerce between the United States and this Republic. I beg leave to congratulate you upon this event, and particularly the unanimity with which it passed the convention; since it demonstrates the good disposition of that body, and of the nation generally, towards us. I was always satisfied, as heretofore intimated, that if I could have brought the subject, in the first instance, before the convention, I should have succeeded immediately in the object in view: But as the committee was the department organized for such business, this was impossible, without commencing a species of warfare upon it, and which was equally improper, as it might tend to increase their own dissensions, and embark me afloat upon the fortune of those dissensions. Happily, by pursuing the object patiently with the committee, removing doubts, and obviating objections, aided by occasional changes of the members, this has not only been avoided, but I have the additional pleasure to assure you, that it was finally accomplished, without the least difficulty, and without exciting the animosity of any one.

After my late communications to the committee of public safety, in which were exposed freely the object of Mr. Jay's mission to England, and the real situation of the United States with Britain and Spain, I had reason to believe, that all apprehension on those points was done away, and that the utmost cordiality had now likewise taken place in that body towards us. I considered the report above recited, and upon which the decree was founded, as the unequivocal proof of that change of sentiment, and flattered myself, that in every respect we had now the best prospect of the most perfect and permanent harmony between the two Republics. I am very sorry, however, to add, that latterly this prospect has been somewhat clouded by accounts from England, that Mr. Jay had not only adjusted the points in controversy, but concluded a treaty of commerce with that government: Some of those accounts state, that he had also concluded a treaty of alliance, offensive and defensive. As I knew the baneful effect which these reports would produce, I deemed it my duty by repeating what I had said before of his powers, to use my utmost endeavours, informally, to discredit them. This, however, did not arrest the progress of the report, nor remove the inquietude it had created: For I was, finally, applied to directly by the committee, in a letter, which stated what had been heard, and requested information of what I knew in regard to

it. As I had just before received one from Mr. Jay, announcing that he had concluded a treaty, and which contained a declaration, that our previous treaties should not be affected by it, I thought fit to make this letter the basis of my reply. And as it is necessary that you should be apprized of whatever has passed here on this subject, I now transmit to you copies of these several papers, and which comprize a full statement thereof, up to the present time.

I cannot admit for a moment, that Mr. Jay has exceeded his powers, or that any thing has been done, which will give just cause of complaint to this Republic. I lament, however, that he has not thought himself at liberty to give me correct information on that subject; for until it is known that their interest has not been wounded, the report will certainly keep alive suspicion, and which always weakens the bonds of friendship. I trust, therefore, you will deem it expedient to advise me on this head, as soon as possible.

I apprized you in my two last letters, of an infernal communication between the diplomatic members of the committee and myself, upon an interrogatory of theirs, whether it would be possible for France to obtain aid from, or within, the United States, for the purchase of supplies; and of my effort upon that occasion to interest this government in support of our claims with Britain and Spain; and to which I was stimulated by intelligence that Mr. Jay's negociation had failed; and that we were on the point of war or actually engaged in it, with Britain; as likewise by the knowledge that Spain was covertly seeking a separate peace. I was satisfied, that if France would embark in our cause, in the present state of things, and which I found her well disposed to do, and without the prospect of much aid in return, that the object in each instance would be secure. I therefore thought it eligible in that state of things, and with that view, to leave the door open for a communication on the subject with you. But as soon as I understood that Mr. Jay had adjusted the points in controversy with that nation, the object on my part was at an end. I was aware, that if the adjustment was approved we could render no such service: Indeed, I doubted whether in peace the government possessed the power to render it. I called, therefore, immediately upon those members with whom the previous communication had been, and suggested the same to them. They had anticipated the idea, and were prepared to answer it by a peremptory assurance, that it was not their wish to create embarrassment in this or any other respect: On the contrary, that regard should be shown in all

ances to our actual situation ; and with respect to the point in question, that the minister about to depart, should be instructed not even to mention it if you forbade it. So that this business stands upon a footing, as indeed it always did, whereby, under a particular state of things, some benefit may be derived from it, and no detriment under any.

The operations of this government continue to progress in the same course they have done for some time past. During the time of Robespierre, a period of the administration which is emphatically called the reign of terror, much havoc was made, not only on the rights of humanity, but great confusion was likewise introduced, in other respects, in the affairs of the government. It has been the systematic effort of the administration to repair this waste, and heal the bleeding wounds of the country, and, in this, great progress has been made. By the same report which proposed the execution of the violated articles of the treaty of amity and commerce with the United States, it was likewise proposed to open wide the door of commerce to every citizen (excluding them from navigation only) and which was adopted: So that, at present, any person bringing productions into the ports of this Republic, may sell them to whom he pleases, and generally with astonishing profit. The agents of the Republic stand upon the ground of other persons: They are preferred only by out-bidding them. In my judgment, no region of the world presents such an opening to the enterprizes of our countrymen, as this does. The restraints upon their own navigation, operate in the degree as a bounty to ours; and the government and citizens of France seem equally pleased to see ours preferred to that of any other nation. The restraints, likewise, which are imposed in other countries, on account of the war, upon a commerce with the French citizens, produce, in other respects, the same effect. It is the interest of the latter to employ our countrymen in ordinary mercantile transactions, and especially with foreign nations; whereby they get into their hands a great proportion of the whole trade of the Republic. The profits which those on this theatre have already made, and continue to make, surpass what you have any idea of. I sincerely wish that this was more generally known, that more might be induced to embark in it, not only for the purpose of diffusing more generally the immediate emoluments, but for the more important one of gaining an interest in the commerce of this Republic, which may be of lasting advantage to the United States. Before the revolution, the English possessed this advantage, as they did in most other countries: But now

that interest is annihilated; and if the Americans step in, aided as they will be by the preference of the government and people in their favour, they may occupy the ground, and retain it for ever afterwards. Permit me to add, that nothing will more essentially forward this object, than an extensive and numerous appointment of consuls. In every port an agent should be placed: and I should suppose the object of sufficient importance to induce our countrymen to accept of those offices. If a prudent and creditable person, the appointment attaches to it confidence, and gives him the command of capital. I am satisfied that any young man of good character, having the appointment in any of the ports, might immediately connect himself advantageously with the first house there, and gradually command elsewhere what capital he pleased. I have examined into this subject and have thought proper to give you the result of my researches into it.

Nor has this wise and humane system been limited to this object alone. It has already been extended to many branches of national policy, and promises to embrace the whole. A decree was not long since passed, by which the seventy-one members, formerly of the Brissotine or Girondine party, and who had been confined on that account, were set at liberty, and called into the convention. And a few days afterwards our countryman, Mr. Paine, was likewise restored to his seat in that body, with marks of the most respectful attention. These events have given satisfaction to the community at large. A decree also, which had excluded the nobles and foreigners (the Americans excepted) from Paris, and the seaports, has likewise been repealed. This latter act, though comparatively of apparent little importance, has, notwithstanding, produced an excellent effect: For as it breathes a spirit of humanity and on that account captivates all, so it has contributed, by passing in review many members of the ancient order of nobility (and who have not forgotten, and never will forget, old habits) to present before the public, and much to the credit of the revolution, the strong and interesting contrast, between the manly character of the French nation at the present day, and the miserable effeminacy, foppery and decrepitude of former times.

A decree has likewise passed, by which a general amnesty has been proclaimed in the Vendée; and a report has been since received from the deputies who were sent to carry it into effect, that all those to whom it was announced, had lain down their arms, and arranged themselves under the banner of the Republic; and that they were likewise satisfied it

would terminate the war; a war heretofore, beyond example, bloody and destructive, and whose origin, support and means of continuance, appear even yet to be but little understood. Freed from this embarrassment, the Republic will acquire new vigor in all its enterprises; it will certainly have under its command, for other purposes, a considerable force which was heretofore employed there.

But in retracing the ground, to repair in detail the injuries which the reign of terror had inflicted, it was impossible to behold the havoc it had made, without feeling some indignation for the authors of such great and complicated misery. This propensity, however, and which was equally incited by the obligations of justice and humanity, was strongly opposed from the period of Robespierre's death to the present time, by a sentiment of extensive impression, that it were better to prevent the further effusion of blood, and to cover with a veil the atrocities which had passed, so far as they could be covered, than to punish even those of greatest enormity. For some time this sentiment prevailed, and though often irritated and disturbed by the remaining leaders of the opposite party, who courted danger and provoked their own fate, yet it appeared probable it would finally preponderate and confirm the administration within that limit. The trial, however, of the *Nantois*, a long train of respectable citizens at Nantes, who were arrested under the administration of Carrier, in his mission there, and brought lately before the tribunal of Paris, opened the scene again, and revived the sensation of horror, which had before in some measure subsided. Such enormities were disclosed in the course of this trial, that it was impossible otherwise to appease the public mind; than by submitting Carrier, and his accomplices, to the tribunal in their turn. Condemnation was the sure consequence of his trial; and it was expected, so clear was the case against him, that all those formerly of that party, would now separate from and yield him to his fate. From such a line of conduct some merit might have been arrogated, and the public censure thrown in a great measure on him alone; by whose punishment too the public resentment might possibly have been satisfied. But Billaud de Varennes, Collot d'Herbois, and even Barrere, a man heretofore noted for skilful movements in critical conjunctures, acted otherwise. They obviously, and from the beginning, made Carrier's cause their own; not only by supporting him in the convention, as far as it was possible, but by exciting the Jacobins to take part in his favour; thereby attaching themselves to the declining fortunes of

that club, and likewise making some unseasonable motions which bore on their face the complexion of that party. The separation required at best a dextrous management; but by these means they presented themselves out as an object, invited the public attention, and, in the degree, the public resentment. Whether they will finally escape is now doubtful. Lecointre, who had shewn himself sufficiently prone, upon a former occasion to commence the attack, took advantage of one of these moments of indiscretion to renew it, and with better effect. His motion was sent to the commission of twenty-one, heretofore organized to report, whether there was just ground of accusation, and there it now is.

Another signal victory was obtained over the Spaniards since my last, and in which the two commanding generals, with many men, were slain, and nine thousand taken prisoners: And in the north, since the ice, nearer approaches are made to Holland, which will, most probably, soon be taken. Within a few days past, deputies arrived from the Stadtholderian party, to negotiate a separate peace: But, at the same time, others came from the patriotic party to oppose it, and who pressed the committee to order forward the troops immediately, to assail and enter Amsterdam; and to which effect orders were accordingly issued. I am satisfied that peace will not be granted to the Netherlands, although a revolution should take place there, on any other condition than that of their uniting in the war against England. It is conceived, that a peace to that power, on other terms, would be more favourable to England than its continuance in the war; for thereby the British troops might be withdrawn, and great advantage gained in other respects from its neutrality. This, it is thought, is the object of England in assenting to their peace; but, in rejecting the offer, France opens a trait in her views that will add much to the weight of the ministerial argument for a continuation of the war. No argument is so strong as that of necessity, and if France will not make peace it will be impossible for England to do it. In my judgment, it is the determination of this Republic to pursue the war, until the maritime strength of England is broken; and when the actual state of things is regarded, with that of the comparative population, force, and enterprize of the two nations, I do not see how it can be prevented. A single victory at sea accomplishes the object, and the rapidity with which ships are built, and fleets equipped here, is inconceivable. Within few weeks past, the Brest fleet has been out twice (indeed it is now out) consisting of thirty-six ships of the line, fifteen

frigates, fourteen floops of war and cutters, giving the defiance to its antagonist, which continues close locked to the land. More latterly, however, some indications were seen, on that coast, of a disposition to take the sea, and hazard the fate of the island on a battle, so that it is probable something decisive may take place soon.

With respect to the other powers, nothing definitive has yet been none in regard to peace. It is certain that several wish it, and particularly Spain and Prussia; but yet some difficulties have occurred in regulating the commencement and manner of the negotiation. England opposes it, because she knows she will not be included; and they, on that account, wish it to be private, merely to avoid the imputations that would arise if it were known; and this cannot well be accommodated under the present organization of the French government. It is said, that a minister from Prussia is at Basle, in Switzerland, with power to treat; and that they all have agents there for the same purpose is likewise probable.

I will endeavour, if possible, to forward by this opportunity a report rendered me by Mr. Skipwith, upon the subject of American claims. Be assured, that every possible attention has been, and shall be paid to this subject.

P. S. I had omitted to mention the official communication, by the committee of public safety, of the decree of the convention for carrying into effect the treaty of amity and commerce between the United States and France: The polite terms, however, in which it is expressed merit attention.

From the Committee of Public Safety, to the Minister Plenipotentiary of the United States of America.

Paris, 8th Nivose, 3d Year of the Republic.

(December 27th, 1794.)

WE are informed, Citizen, that there was lately concluded at London a treaty of alliance and commerce between the British government and Citizen Jay, envoy extraordinary of the United States.

A vague report spreads itself abroad, that, in this treaty, the Citizen Jay has forgotten those things, which our treaties with the American people, and the sacrifices which the French people made to render them free, gave us a right to expect

on the part of a minister of a nation, which we have so many motives to consider as friendly.

It is important that we know positively, in what light we are to hold this affair. There ought not to subsist, between two free people, the dissimulation which belongs to courts; and it gives us pleasure to declare, that we consider you as much opposed personally to that kind of policy, as we are ourselves.

We invite you then, to communicate to us as soon as possible the treaty whereof there is question. It is the only means whereby you can enable the French nation justly to appreciate those reports so injurious to the American government, and to which that treaty gave birth.

(Signed)

MERLIN, CARNOT.
FOURCROY, CAMBACERES,
A. DUMONT, &c.

From the Minister Plenipotentiary of the United States of America, to the Committee of Public Safety.

Paris, December 27th, 1794.

I WAS favoured this morning with yours of yesterday, intimating that the report of a treaty, said to be concluded by Mr. Jay, envoy of the United States of America, to England, with that nation, derogatory to the treaties of alliance and commerce subsisting between those States and this Republic, had given you some disquietude, and requesting information from me upon that point. I obey the invitation with pleasure, because I well know that a candid policy is that alone which becomes Republics, and because it is likewise most correspondent with the wishes of the American government, and my own feelings.

Having already communicated to you the limited object of Mr. Jay's mission, it only remains for me to inform you what I know of the result. All that I know, upon this subject, is comprized in a letter received yesterday from Mr. Jay, of November 25th; in which he says, that he had fulfilled the principal object of his mission, by concluding a treaty, signed on the 19th of the same month, which contains a declaration,

“ That it should not be construed, nor operate, contrary to our existing treaties, and that, therefore, our engagements with other nations were not affected by it.” He adds, that as the treaty is not yet ratified, it would be improper to publish it. I am altogether ignorant of the particular stipulations of the treaty, but beg leave to assure you, that as soon as I shall be informed thereof, I will communicate the same to you.

I take it, however, for granted, that the report is without foundation ; for I cannot believe that an American minister would ever forget the connections between the United States and France, which every day’s experience demonstrates to be the interest of both Republics still further to cement.

From Mr. Jay, to Mr. Monroe.

London, November 24th, 1794.

SIR,

IT gives me pleasure to inform you, that a treaty between the United States and his Britannic Majesty, was signed on the 19th instant.

This circumstance ought not to give any uneasiness to the convention. The treaty expressly declares, that nothing contained in it shall be construed or operate contrary to existing treaties between the United States and other powers.

I flatter myself that the United States, as well as all their ministers, will, upon every occasion, manifest the most scrupulous regard to good faith ; and that those nations who wish us well, will be pleased with our preserving peace and a good understanding with others.

From Mr. Jay, to Mr. Monroe,

London, November 25th, 1794.

SIR,

By a letter written and sent a few days ago, I had the pleasure of informing you that on the 19th instant, the principal business of my mission was concluded, by a treaty signed on that day. It contains a declaration, that it shall not be construed, nor operate contrary to our existing treaties ; as therefore our engagements with other nations remain unaffected by it, there is reason to hope, that our preserving peace

and a good understanding with this country, will not give uneasiness to any other. As the treaty is not yet ratified, it would be improper to publish it. It appears to me to be, upon the whole, fair, and as equal as could be expected. In some respects, both nations will probably be pleased, and in others, displeas'd.

*From the Committee of Public Safety, to the Minister Plenipotentiary
of the United States of America.*

Paris, 18th Nivose, 3d Year of the Republic.

(January 8th, 1795.)

CITIZEN MINISTER,

By the sollicitude we shew to communicate to you our arreté of the 14th of this month, you will judge of our zeal to keep you constantly instructed of our efforts to maintain the relations of a sincere friendship between the United States and the French Republic.

(Signed)

CAMBACERES, BREARD, &c.

*Extract of the Register of Arrêts of the Committee of Public
Safety, of the*

14th Nivose, 3d year of the Republic.

(4th January, 1795.)

THE committee of public safety, considering that by the twenty-third article of the treaty of commerce, between France and the United States of America, bearing date on the 6th of February, 1778, it is agreed :

1. That the people of France and America may navigate reciprocally, in complete safety, with their vessels, and without exception as to the owners of the merchandize charged upon such vessels; or as to the ports from whence they come, and although the power for which they be destined be actually at war, or become afterwards the enemy of the one or the other contracting party: That they may equally navigate in full safety with their vessels and merchandize, and frequent the places, ports, and harbours of the enemies of

both nations, or of either, and carry on trade, not only from the port of an enemy to that of a neutral power, but also from different ports of the same enemy: 2. That free vessels shall make free goods, and that any thing shall be considered as free, which shall be found on board the vessels of either contracting nation, although it belong in whole or in part to the enemies of either the one or the other, contraband always excepted: 3. That the same liberty shall be extended to those who are found on board free vessels, although they be the enemies of either the one or the other contracting nation; and in consequence that such persons shall not be taken from such vessels, unless they be soldiers in the actual service of the enemy:

Considering that the crimes of England, having given to the war of despotism against liberty, a character of injustice and atrocity without example in the annals of mankind; the national convention found itself obliged, in using the right of reprisal, to decree on the 9th of May, 1793, that the vessels of war and corsairs of the Republic, might take and conduct into the ports of France, such vessels of the neutral powers as they should find charged in whole, or in part, with provisions belonging either to such powers or the enemies of France: Soon afterwards, however, and on the 1st July, 1793, the convention restored in full vigour the dispositions of the treaty above mentioned, of the 6th of February, 1778; but which were again revoked by a decree of the 27th of the same month, in respect to provisions and merchandizes belonging to an enemy; upon which latter ground it has stood since, leaving the provisions and merchandizes of neutral powers in such vessels free: In regard to which the French government has not to reproach itself with having waited to shew itself just and loyal, that the cabinet of London might revoke, as it did a long time afterwards, the order by it given the preceding year, to seize all neutral vessels carrying provisions or merchandizes into France:

Considering that since, and notwithstanding the notoriety with which this cabinet continues to insult and violate the rights of neutral nations, by causing their vessels charged with merchandize, destined for the ports of France, to be seized; yet the national convention has enjoined it by the seventh article of the law of the 13th of this month, upon all officers civil and military, strictly to observe, in all their dispositions, the treaties which unite France with the neutral powers of the ancient continent, as likewise with the United

States of America, declaring all articles of a contrary import in any other law to be absolutely null and void :

Fully therefore to carry into effect the said law, according to its true intent and meaning, it is hereby ordered;—

ARTICLE I. The commission of marine and of the colonies, shall notify, without delay, to all the commanders of armed vessels, divisions and squadrons, the article above mentioned of the law of the 13th of this month; and in consequence that they are to consider the fifth article of the arrêté of the 25th Brumaire last, which authorized the seizure of merchandizes belonging to an enemy, on board neutral vessels, until such enemy shall have declared French property on board such vessels free, as now null and void.

ART. II. The merchandizes called contraband, though belonging to a neutral power, shall continue subject to seizure.

ART. III. All arms, instruments, and munitions of war of every kind, horses and their equipage, and all kind of merchandizes and other effects destined for an enemy's port actually blockaded or besieged, shall be deemed contraband of war.

(Signed)

CAMBACERES, CHAZAL,
CARNOT, MAREC,
PRIEUR, PELET.
A. DUMONT,

[No. IX]

FROM Mr. MONROE, TO THE SECRETARY OF STATE.

Paris, February 1st, 1795.

SIR,

I WAS lately informed by Mr. Jay, that it was his intention to communicate to me the contents of his treaty with the British administration, and as I knew the good effect which correct information upon that point would produce upon our affairs here (admitting it to be as heretofore represented) I thought it my duty to endeavour to avail myself of it as soon as possible. But as the communication promised, was to be in cypher, and Mr. Morris had taken his copy with him, I knew that I should not be able to comprehend it, in case it

was received. I therefore deemed the acquisition of it an object of sufficient importance to authorise the expence of an especial dispatch to London, to obtain it, and have, in consequence, committed that trust to Mr. Purviance, of Baltimore, who left this immediately after the receipt of Mr. Jay's letter, and who was likewise instructed to bring me a copy of Mr. Pinckney's cypher, for future use. By his return I hope to be enabled to remove all uneasiness upon that head, and in which I am the more confident, from a knowledge that the government here is well disposed to view it with the utmost liberality.

I was also lately informed, by a letter from Mr. Fenwick, that he understood from Mr. Muscoe Livingston, who had lately arrived from Lisbon, that Colonel Humphreys had sailed thence for Algiers, upon the business, as was presumed, intrusted to him with that Regency; and that, prior to his departure, he had committed to him a message for me, to be communicated in person. Mr. Fenwick adds, that Mr. Livingston was taken sick, and in consequence deprived of his senses, just as he was about to set out from Bordeaux for Paris; whereby he was not only rendered unable to proceed on his journey, but even to communicate to him the purport of his message for me. Thus I am left in perfect ignorance, equally of Colonel Humphreys' wishes, the time of his departure and plan of operation. I intimated to you before, that although I had written to Colonel Humphreys for information upon that point, and with the view of forwarding his wishes to the utmost of my power; yet I was fearful, in consideration of those embarrassments, which were inseparable from the war, it would be difficult to concert any plan of harmonious operation, which should commence and proceed from such distant points, whereby the aid of this Republic could be yielded us in that negociation. Under present circumstances, therefore, you will readily perceive, that it has become altogether impossible.

The French troops have at length entered Amsterdam, whereby the whole of the province of Holland was brought immediately under the power of this Republic, as, indeed, the whole of the Seven United Provinces most probably soon will be. This was announced a few days past to the convention, by a letter from the deputies in that quarter; two of whom, it is said, are on their way to render an account in detail of this very important acquisition. It is reported, that Breda and Bergen-op-zoom have surrendered: Indeed the general idea is, that no further opposition will be made there to the French arms, and of course, that this Republic will become pos-

nessed of the fleet and immense stores of every kind. The Prince of Orange, with his family, accompanied by several members of the States General, had made their escape; but by what route, and whether for London or Berlin, is unknown.

After the entry of the French into Amsterdam was certain, and, in consequence, the entire conquest of the Seven Provinces more than probable, an effort was made by the States General to yield the same thing, upon terms; for the purpose of putting the Republic in possession of the country, by treaty instead of conquest; and with this view an agent, who arrived here about a fortnight before that event, was dispatched; and who offered, as I am well assured, to surrender all the important fortifications of the country, and to provide at their own expense, and for the residue of the war, quarters and provisions for such force as should be deemed adequate to hold them: To yield immediately twenty-five sail of the line, and likewise to pay at stated times, convenient for both parties, the sum of three hundred millions of florins. But it was known by the committee, that without an accident as much might be gained, and perhaps more, by conquest: That the latter mode, which knew of no condition, freed them from fetters, and of course from the possibility of any future imputation of breach of treaty, and of violated faith. The agent, however, who was an ancient minister of that government here, was suffered to remain, and treated with respect, whilst orders were issued to the troops to advance, and which were obeyed.

There arrived, about the same time, a deputation from the patriots, who associating with Mr. Van Staphorst, and one or two others, of those who were banished from their country in 1787, endeavoured to counteract the movements of the agent from the States General, and to attract to the patriotic body the attention of the convention. Before the entry into Amsterdam, they wished admittance to the bar, as well for that purpose, as to sound the disposition of the convention in regard to the future fate of Holland. But in *that* stage it was evaded, perhaps from policy; perhaps from the real impropriety of expressing any opinion upon that point, in the then state of affairs; or perhaps indeed from the impossibility of forming one. But, since that event, they were admitted, and with an address founded on it, though in other respects adapted as was before intended. The answer of the President was respectful, but cautious; for whilst it breathed a spirit of patriotism, and of particular regard for the ancient virtues of the Belgic Confederacy, and of course left them no cause of com-

plaint, it carefully avoided all compromitment of the government itself.

What will be the future fate of those provinces is altogether uncertain, and must be in a great measure dependant on events. At present I am satisfied there is no settled plan on that head, nor indeed, is it possible there should be, within so short a space of time. Many members, and among them some of distinguished weight in the convention, seemed disposed to extend the future boundary of the Republic to the Rhine; and, of course, to comprehend within its limits all that part of those provinces lying on this side of that river. This idea was lately avowed by Boissy d'Anglas, a member of the committee of public safety, in a speech delivered apparently by authority of that body, and for the purpose equally of founding the convention upon the conditions of peace, to ascertain what terms they would approve of; as to announce in that informal, and of course not obligatory, manner, to the parties concerned, the ultimata upon which they might expect it. In this he proposes that the Republic shall be hereafter bounded only; "by the ocean, the mountains and the great rivers." Be this however as it may, I think it certain, unless the fortune of the war should inspire other councils, that the whole of these provinces will be retained in the hands of this Republic until its termination, and be made, in the progress, as instrumental to that event, in its favour, as circumstances will admit of.

But even in case they be not dismembered, a revolution in their government seems to be unavoidable. Their strong posts, their harbours, perhaps their fleet, will be under the controul of France, and, of course, their councils likewise will be so. Ancient forms may for awhile remain, but it is not possible, under circumstances of this kind, that they should be more than forms. Half the political regulations of the country, perhaps the whole, will proceed from the representatives of this Republic with the army: Nor will any of its inhabitants, other than those of decided patriotism, be employed by them, in any office of trust or profit. Thus the weight and authority of the government will be gradually transferred to the popular scale. The people at large will soon take the admonition, and from that moment the ancient fabric, which was before tottering, will be levelled with the ground. The ordinary allurements of freedom are sufficiently great to the mass of mankind to require no additional recommendation in its favour, and the hand of power must be strong where it is not pursued with effect; but in the present in-

stance, the additional inducement will be great; for as it is well known, that this Republic can repose no confidence in the existing government, and especially in the house of Orange, and which might not be the case and most probably would not, with *that* which would succeed a revolution; so it must be equally obvious that its continuance will furnish a strong argument here for the dismemberment. This consideration, therefore, will add a new stimulus to all those who incline rather to preserve the independence of their country, than become reduced into a few departments of France.

Before this great achievement, and which resembles more an exploit of the ancient Roman empire, than those of modern princes, there was a collection of diplomatic characters, formal and informal, from several of the powers at war, and others friendly to some of them, at Basle in Switzerland, and who expected to be met there by some agent or agents from this Republic, to commence negotiations for peace. But as soon as they heard of this event, that prospect vanished, and it is said that some of them have retired home, and others arrived here to confer more directly with the government itself. Count Carletti, from Florence, and Baron Stael, from Sweden, men said to be friendly to the French revolution, are those only who are known, and the latter is supposed rather to expect, than to have brought, his credentials with him.

I herewith transmit to you some communications received from Mr. Skipwith, and which will shew the state of the Bordeaux and St. Domingo claims, and I beg of you to be assured of the unremitting attention which I shall continue to pay to these concerns, and indeed to every other in which my countrymen are interested.

5th February, P. S. Since the above was written, some details have been received of the success of the French in the United Netherlands, and by which it appears that every thing which was predicted in that respect has been verified. Williamstadt, Breda, Gorcum, Bergen-op-zoom, and the fleet, held by the ice in the Texel, are all taken. I inclose, however, the papers containing those accounts.

*From Mr. Jay, to Mr. Monroe.**

London, November 28th, 1794.

SIR,

WITHIN this week past I have written to you two letters, to inform you that on the 19th instant, a treaty between the United States and his Britannic majesty, was signed. The design of this letter is chiefly to introduce to you Mr. Pleasants of Philadelphia, whose connections there are respectable. I have not the pleasure of being personally acquainted with this gentleman; but as a fellow-citizen, I wish to do him friendly offices, and I am persuaded that a similar disposition on your part will ensure to him such a degree of attention as circumstances may render proper. As Mr. Pinckney has a cypher with our other ministers in Europe, either he or I will shortly use it in communicating to you the principal heads of the treaty *confidentially*. You need not hesitate in the mean time to say explicitly, that it contains nothing repugnant to our engagements with any other nation.

From Mr. Monroe, to Mr. Jay, London.

Paris, January 17th, 1795.

SIR,

EARLY in December last, English papers were received here, containing such accounts of your adjustment with the British administration, as excited much uneasiness in the councils of this government, and I had it in contemplation to dispatch a confidential person to you, for such information of what had been done, as would enable me to remove it. At that moment, however, I was favoured with yours of the 25th November, intimating, that the contents of the treaty could not be made known until it was ratified; but that I might say it contained nothing derogatory to our existing treaties with other powers. Thus advised, I thought it improper to make the application; because I concluded the arrangement was mutual and not to be departed from. I proceeded, therefore, to make the best use in my power of the information already given.

To day, however, I was favoured with yours of 28th of the same month, by which I find you consider your-

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* Received on the 16th of January, or about that time, by Mr. Pleasants.

self at liberty to communicate to me the contents of the treaty, and as it is of great importance to our affairs here, to remove all doubt upon this point, I have thought it proper to resume my original plan of sending a person to you for the necessary information, and have, in consequence, dispatched the bearer, Mr. John Purviance, for that purpose. I have been the more induced to this from the further consideration, that in case I should be favoured with the communication promised in cypher, it would be impossible for me to comprehend it, as Mr. Morris took his with him.—Mr. Purviance is from Maryland, a gentleman of integrity and merit, and to whom you may commit whatever you may think proper to confide with perfect safety. It is necessary, however, to observe, that as nothing will satisfy this government but a copy of the instrument itself, and which, as our ally, it thinks itself entitled to, so it will be useless for me to make to it any new communication short of that. I mention this, that you may know precisely the state of my engagements here, and how I deem it my duty to act under them in relation to this object. I beg leave to refer you to Mr. Purviance, for whatever other information you may wish on this subject, or the affairs more generally of this Republic.

From the Secretary of State of the United States, to Mr. Monroe.

Philadelphia, December 2nd, 1794.

SIR,

ON the 27th instant,* I had the honour of receiving the duplicate of your letter, No. 3, of the 15th of September last, being the first and only official notification of your having entered upon the duties of your mission.

Alexander Duvernet, who was appointed vice-consul of Paris, during the last session of the Senate, loitered here so long, without a suspicion being entertained of his default, that the President has superseded him by commissioning Joseph Pitcairn, of New-York, who goes off for his residence immediately.

With the frankness of my friendship, I must discharge the obligation of my office, by communicating to you the opinions which we entertain here concerning the speech which you made on your introduction into the national convention.

* *Instant* in the original, *ultimo* no doubt intended.

When you left us, we all supposed, that your reception, as the minister of the United States, would take place in the private chamber of some committee. Your letter of credence contained the degree of profession, which the government was desirous of making; and though the language of it would not have been cooled, even if its subsequent publicity had been foreseen; still it was natural to expect, that the remarks, with which you might accompany its delivery, would be merely oral, and therefore not exposed to the rancorous criticism of nations at war with France.

It seems, that upon your arrival the downfall of Robespierre, and the suspension of the usual routine of business, combined perhaps with an anxiety to demonstrate an affection for the United States, had shut up for a time the diplomatic cabinet, and rendered the hall of the national convention the theatre of diplomatic civilities. We should have supposed, that an introduction there would have brought to mind these ideas. "The United States are neutral: The allied powers jealous: With England we are now in treaty: By England we have been impeached for breaches of faith in favor of France: Our citizens are notoriously gallican in their hearts: It will be wise to hazard as little as possible on the score of good humour: And therefore, in the disclosure of my feelings, something is due to the possibility of fostering new suspicions." Under the influence of these sentiments we should have hoped, that your address to the national convention would have been so framed, as to leave heart-burning nowhere. If private affection and opinions had been the only points to be consulted, it would have been immaterial where or how they were delivered. But the range of a public minister's mind will go to all the relations of our country with the whole world. We do not perceive, that your instructions have imposed upon you the extreme glow of some parts of your address; and my letter in behalf of the house of Representatives, which has been considered by some gentlemen as too strong, was not to be viewed in any other light, than as executing the task assigned by that body.

After these remarks, which are never to be interpreted into any dereliction of the French cause, I must observe to you, that they are made principally to recommend caution; lest we should be obliged, at some time or other, to explain away or disavow an excess of fervor, so as to reduce it down to the cool system of neutrality. You have it still in charge to cultivate the French Republic with zeal, but without any unnecessary eclat; because the dictates of sincerity do not demand,

that we should render notorious all our feelings in favour of that nation.

In your letter you say, that you have not been instructed to desire a repeal of the decree, which violated the 23d and 24th articles of the treaty of commerce: That you did not know, but it had been tolerated from the soundest motives of political expedience—lest the demand for the rescinding it might produce a call for the guarantee. Indeed you have gone farther; having declared in your memorial, that you were under no instructions to *complain* of, or request the repeal of, the decree authorizing a departure from those articles; and that if, upon reconsideration, after the experiment made, the committee of public safety should be of opinion, that it produces any solid benefit to the French Republic, the American government, and your countrymen in general, would not only bear the departure with patience, but with pleasure.

The fourth head of injury, stated in your letter, shews that you were possessed of cases, which turned entirely upon the impropriety of the decree; and such too was certainly the fact. Now, without the abrogation of the decree, so far as it respected those cases, the redress which you were instructed to demand, could not be obtained. In truth, there was no cause or pretence for asking relief, but upon the ground of that decree having violated the treaty. Does not this view lead to the inevitable conclusion, that the decree, if operative in future instances, would be no less disagreeable; and consequently, that its operation in future instances ought to be prevented; a circumstance, which could be accomplished only by a total repeal. The papers of the ship *Laurens*, contained a reference to one or more representations of Mr. Morris against the decree; so that the business had been actually broken to the French government.

Neither these representations, nor yet your application, appears to have suggested a requisition of the guarantee. The omission to demand its fulfilment up to this day, is a proof, that *their* policy did not approve of such measure: And in this they were wise; since we should have been less advantageous to them by associating in the war, than we have been in our neutral character. If I am not mistaken, this sentiment has been delivered often by Mr. Fauchet. Besides, you might have very readily repelled any serious allusion to the guarantee, by saying, as your instructions indicate, that you were directed to send that subject on this side of the water. I must add another observation; that I do not see how, if you are to be deterred by the guarantee, you can ever claim compensation for an

infraction of the treaty; since you will always be in danger of having it brought up to you.

But, my good Sir, let these things be as they will, was it necessary to intimate, that an indifference prevailed in our government as to these articles, by a declaration, that you were not instructed to complain of the decree? I confess, that I am unapprised of the data upon which such an opinion could be founded: And undoubtedly the President himself would not undertake, that the people of the United States would bear with patience a departure from stipulations, which are generally believed to be important to us. But if, from our friendship to the French Republic, we might sustain a mischief with pleasure; still we should not choose that the assumption of one of our rights, without consulting us, should become a precedent for the assumption of any other.

Let me therefore intreat you, if my letter of July 30th, has not already stimulated you to remonstrate against the decree, to do so without delay. We do not wish you to swerve from the line of conciliation, which is marked out in the last paragraph of your letter. On the contrary, conciliation which does not detract from the dignity of his government, its rights, and his own self-respect, is a valuable quality in a minister. We only hope, that the committee of public safety may not continue in the belief, that the Executive are of opinion, that it will be satisfactory to dispense with the articles.

I am extremely happy in assuring you, that many of Mr. Fauchet's discontents have been removed. The documents concerning the failure to salute the Semillante, and the supposed insult to the Favorite, are enclosed to you, that you may be able to evince our solicitude to cement our good will on every occasion which is offered.

Colonel Alexander Anderson of this city, who has a claim for compensation, and whose agent will call upon you, requests me to forward the enclosed papers. I also transmit some imperfect preparatory information in the case of Mr. A. Gracie.

A fresh collection of spoliation papers is sent, according to the list subjoined. The newspapers, &c, accompany this letter.

I am, &c.

EDM. RANDOLPH,
Secretary of State.

French Spoliations, December 2d, 1794.

1. Ship Commerce, Endch Preblé, additional.
2. Schooner Polly, Price, additional.
3. Sloop Matsy.
4. Brig Nancy, Dunning.
5. Sloop Jenny.
6. Danish ship Krageroe.
7. Brig Hector, additional.
8. British ship Mary Ann, and the ship John and James.

No. X.

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, February 12th, 1795.

SIR,

I WAS honored with yours of the 2nd December, three days since, and by which I find that my third letter only had then reached you, although the two preceding, with duplicates, were forwarded according to their respective dates, and by opportunities which promised security and dispatch.

I read, with equal surprize and concern, the strictures you deemed it necessary to make upon some particulars of my conduct here; because I think it did not merit them, and trust, upon a further view of all circumstances, you will entertain the same opinion. Of these, by this time, you will possess a general view: A more particular detail, however, I think proper now to communicate.

It is objected, that I addressed the convention with a glow of sentiment not warranted by my instructions. Secondly; that I made public what was intended, and policy dictated, should be kept private. And thirdly; that I compromised the government, by saying, that it was willing to tolerate injuries, which it was not disposed to tolerate; whereby an important interest to our country was slighted or given up.

Whether my address contains a single sentiment or expression different from what my instructions and the declarations of the legislative branches contain, is to be determined by comparing the one with the other. I had them before me at the time, and drew it by them; of course I thought it did not, and I now think so. The force, however, of this objection is, I presume, comprized in the second; for if the communica-

tion had been in private and not in public, the objection most probably would not have been made. Upon this point, therefore, a more thorough explanation is necessary, and for this purpose a full view of the circumstances and motives which influenced my conduct, equally so.

Upon my arrival here, I found our affairs, as it was known they were before I sailed, in the worst possible situation. The treaty between the two Republics was violated: Our commerce was harrassed in every quarter, and in every article, even that of tobacco not excepted. Our seamen taken on board our vessels were often abused, generally imprisoned and treated in other respects like the subjects of the powers at war with them: Our former minister was not only without the confidence of the government, but an object of particular jealousy and distrust: In addition to which it was suspected, that we were about to abandon them for a connection with England, and for which purpose *principally*, it was believed that Mr. Jay had been sent there. The popular prepossession too in our favor had abated, and was in some measure at a stand; for the officers of the fleets from America had brought unfavourable accounts of our dispositions towards them. Thus the connection between the two countries, hung as it were, by a thread; and I am convinced, that if some person possessing their confidence had not been sent, it would have been broken.

My first reception was marked with circumstances which fully demonstrated these facts; and shewed how critical the ground was on which we stood; for it is unquestionably true, that notwithstanding my political principles were subscribed to, the committee, or the governing party in it, were disposed to delay my reception, throw me entirely out of view, and destroy altogether the effect of my mission. It was said, that as my principles were with them, I ought on that account to be the more avoided; for if they confided in me, I should only lull them asleep as to their true interest, in regard to the movements on foot; and under this impression, I was viewed with a jealous eye, and kept at the most awful distance. This deportment towards me was so observable, that it attracted the attention of the representatives of other powers here, and was most probably communicated elsewhere.

Into what consequences this policy, which was hostile to us, might lead, I could not readily perceive; but I was alarmed on that head; for I well knew that an avowed enmity by this government, against our executive administration, and in which shape it threatened to break out, pursued with passion as I had reason to apprehend it would be, would not

only injure our national character, but likewise disturb our internal tranquility, and perhaps involve us in war. The interval between such a step and the existing state of things was small, and in the tide of their fortunes, which were prosperous, I was fearful it would be taken. Thus circumstanced, what course did policy dictate that I should pursue? Did it become me to look on as a tranquil spectator of machinations that portended so much mischief to my country; or was it more wise, more consistent with the obligations of the trust I had accepted, to make a decisive effort to defeat them? And, adopting the latter counsel, in what line should that effort be directed, or by what means enabled to succeed? The doors of the committee, as already mentioned, were closed against me: And had it been otherwise, knowing as I did the disposition of that body towards us, would it have been prudent to have deposited those documents under its care, since they furnished the only means by which I could counteract its views? Or was it to be presumed, that the declarations of friendship which they contained, would produce in the councils of that body any change of sentiment, advised as it had been, and armed as it was, with a series of contrary evidence, and in which it would place a greater confidence? I can assure you, and with great sincerity, that after taking in my mind, so far as I was able, and with perfect calmness (for the imputations against me were not of a nature to inspire zeal) that range of our affairs in their general relation to those of other powers, and in which you deem my conduct defective,—that the measure I adopted appeared to me not only the most eligible one; but that, in the then juncture of affairs, I thought it my indispensable duty to adopt it. Nor was I disappointed in any of the consequences upon which I had calculated; for by this public demonstration of our regard for this nation and its *revolution* (though indeed the word was not used) the people at large were settled on the right side: The abettors of a contrary doctrine were in a great measure confounded; and as soon as the impression upon the public mind had time to react back upon the public councils, aided by the little incidents I caught at to inspire confidence, together with a change of the members of the committee, was the object, even in that body, though slowly, yet finally, completely accomplished.

But you intimate that I ought to have shunned this publicity, from the fear it might injure our depending negotiations with Britain and Spain. Had I seen cause to apprehend that consequence, I should certainly have been more averse to the

measure: But that there was none; on the contrary, that it would produce the opposite effect, was in my opinion certain. In demonstrating this, permit me to develop, according to my idea of it, the object of Mr. Jay's mission, and the contingencies upon which his success depended. This will shew the relation which mine had to his, and more satisfactorily than I can otherwise do, the motives in that respect of my conduct.

I understood that the sole object of Mr. Jay's mission was to demand the surrender of the posts, and compensation for injuries, and was persuaded that his success would depend upon two primary considerations; the success of the French armies and the continuance of a most perfect good understanding between the two Republics. If we were disappointed in either of these evens, I concluded that his mission would fail; for we knew that a long and able negotiation for the first object had already proved abortive, and we saw in the preceding year, when Toulon was taken, and fortune seemed to frown upon the arms of this Republic, that an order was issued for those spoliations of which we so justly complain. We likewise saw afterwards, when the spirit of this nation was roused and victory attended its efforts, that that order was rescinded and some respect shewn to the United States. Thus it appeared, that our fortune, at least so far as depended upon Britain, and of course the success of Mr. Jay's mission, depended upon that of France.

But the success of France could not redound to our advantage, and especially in the negotiation with Britain, without a good understanding and concert with the French government: For without which, we could neither count upon success in negotiation, nor in case it failed, upon the fortunate issue of arms, if war should be appealed to. By negotiation we could not hope for success otherwise than from the apprehension in the British cabinet, that if we were not accommodated, we would join in the war against them: We could not accept it at the price of an equivalent, and thus pay again for what was already our due: Nor could we expect it from the affection, the justice or the liberality of that court; for we well knew that if it had possessed those virtues, we should have had no cause of complaint. But we could not join in the war, nor even avail ourselves of that argument in negotiation, without a concert with France; for without such concert, we might commence at the moment she was about to conclude; whereby we should be left alone to contend with that power; who would probably be supported by Spain. If then our good

understanding with France was broken, or the necessary concert between us incomplete, Britain would only have to amuse us 'till the crisis had passed, and then defy us.

If this doctrine is true, and it is admitted, that the success of Mr. Jay's mission depended upon a good understanding with the French Republic, it follows, that the more cordial it was, and the more generally known, the happier the effect would be; and of course that, by exhibiting this public proof of it, instead of retarding, I forwarded essentially the object of that negotiation: And such, indeed, was my idea at the time; for I knew that the movement would be so understood on the other side of the channel; and in consequence, believed it would produce a good effect, and in which I was the more confirmed by the information of several of my countrymen, who were in England when the embargo was imposed, and who assured me that if it had been continued, Mr. Jay's success would have been immediate.

That the English administration would complain of this movement, and of me, was what I expected; but I knew that I was sent here not to subserve the views of that administration, and trusted that whilst I rested on my instructions, and performed my duty with integrity, although my judgment might occasionally err, as those of most men sometimes do, that no concession would be made to my discredit, in favour of that administration: On the contrary, that I should be firmly supported against its attacks by those who sent me here. I trust that this has been the case in the present instance, and upon which point I am more anxious, upon public than private considerations; because I well know, that if any such concession has been made, it was immediately communicated by its instruments here, and for the purpose of weakening the confidence of this government in our own; a practice systematically pursued heretofore, and with the hope of separating; or at least of preventing any kind of concert between the two countries.

Had the fortunes of France been unprosperous upon my arrival here, the motive for greater caution would have been stronger. But the case was in every respect otherwise. Her fortunes were at the height of prosperity, and those of her enemies decisively on the decline. It was obvious that nothing was wanting to preserve tranquillity at home, and to ensure success in our foreign negotiations, but the good wishes and the good offices of this republic towards us. By the measure, therefore, I thought that every thing was to be gained and nothing to be lost.

Upon the third point but little need be said. I have some time since transmitted to you a decree which carried the treaty into effect, and yielded the point in question. Satisfied I am, too, it was greatly forwarded, if not absolutely obtained, by the manner in which it was urged: For a generous policy is better calculated to produce a good effect here, than a strict one: And other than in this light my declaration cannot be considered. Surely I did not concede the point, nor intimate an indifference upon it: On the contrary, I laboured, with the greatest force of which I was capable, to demonstrate the interest we had in it as well as themselves: Nor did I condescend in that or any other transaction. In general I know I am more apt to err on the other side; and I am persuaded, that in the present instance you will find, upon a perusal of the paper in question, that although it contains expressions of friendship, it certainly betrays none of condescension.

I have thus answered the objections contained in your strictures upon my conduct, by stating the circumstances under which I acted, with my motives of action; and I presume satisfied you, that I did not merit them. But I cannot dismiss the subject without observing; that, when I review the scenes through which I have passed, recollect the difficulties I had to encounter, the source from whence they proceeded, and my efforts to inspire confidence in our administration, without which nothing could be done, and much mischief was to be apprehended,—I cannot but feel mortified to find, that, for this very service, I am censured by that administration.

You have already seen by the course of my correspondence, that however difficult it was to succeed, yet at certain times, we were completely possessed of the confidence of this government; and that, at these times, I had the good fortune to accomplish some objects of importance to us. But it is likewise my duty to inform you, that I was at the same time enabled to penetrate more accurately into what would most probably be its policy towards us, in case we continued to possess that confidence unimpaired: And I now declare, that I am of opinion, if we stood firmly upon that ground, there is no service within the power of this republic to render, that it would not render us, and upon the slightest intimation. In the interval between the period of those communications which were made by me to the committee, explanatory of our situation with Britain, Spain, &c. and the arrival of the

intelligence of Mr. Jay's treaty, the indications of this disposition were extremely strong: For at that time I had reason to believe, that it contemplated to take under its care, and to provide for, our protection against Algiers; for the expulsion of the British from the western posts, and the establishment of our right with Spain to the free navigation of the Mississippi, to be executed in the mode we should prefer, and upon terms perfectly easy to us; terms, in short, which sought only the aid of our credit to obtain a loan from our own banks for an inconsiderable sum, to be laid out in the purchase of provisions, within our own country, and to be reimbursed, if possible, by themselves. But by *that* intelligence, this disposition was checked, but not changed; for it is with the course of opinions as with that of bodies, and which are not easily to be forced in an opposite direction, after they have decisively taken a particular one. I mention this for your information, not indeed, in relation to the past, but future measures of the executive; for I am still inclined to believe, that if the arrangement with England, or the negotiation with Spain should fail, it is possible, provided a suitable attempt be made here before a peace is closed with those powers respectively, to accomplish the whole through the means of this government, and upon terms which would perhaps require no offensive movement, or other act which would rightfully subject us to the imputation of a breach of neutrality. Well satisfied I am, that the full weight of its fortunes might be thrown with decision into our scale, and in a manner that would enable us to turn those fortunes to the best account in negotiation.

I am happy to inform you, that Mrs. La Fayette was lately set at liberty; and although I could not make a formal application in her favor, yet it was done in accommodation with that which was informally made. She attended immediately at my house, to declare the obligation she owed to our country, and of which she manifested the highest sensibility. Unfortunately she is and has been for some time past destitute of resource, and in consequence required aid, not only for present support, but to discharge the debts that were already due, and for which she applied to me; and was thereupon furnished with a sum in assignats, equivalent to about one thousand dollars in specie. I made this advance upon the principle it was my duty to make it, as the representative of the United States, and in the expectation that the like sum, which would be paid to my order by our bankers in Amsterdam,

would be taken from the fund appropriated to the use of her husband by the congress in the course of the last year. Is this approved, and may I upon that fund make future advances adequate to her support, and for which the interest will perhaps suffice?

A treaty of peace, or rather of amity, with Tuscany, with the progress of a revolution in Holland, which has been more rapid than I expected it would be, are the only events worthy notice, that have taken place since my last, and for more particular details respecting which I beg leave to refer you to Mr. Adet, to whose care the present is committed.

P. S. I herewith inclose you a report from Mr. Skipwith, upon some cases that were noticed in your last dispatch; as likewise upon some others upon which application will most probably be made to you, and whereby you will be enabled to give satisfactory information to the parties concerned.

From the Secretary of State of the United States, to Mr. Monroe.

Philadelphia, December 5th, 1794.

SIR,

SINCE my letter of the 30th ultimo, which will be conveyed by the same vessel with this, I have had the honor of receiving your very interesting letters of August 15th and 25th. They are the more acceptable, as affording an earnest of your attention to the kind of intelligence, which is to us very important.

We are fully sensible of the importance of the friendship of the French Republic. Cultivate it with zeal, proportioned to the value which we set upon it. Remember to remove every suspicion of our preferring a connection with Great Britain, or in any manner weakening our old attachment to France. The caution suggested in my letter of the 30th ultimo arises solely from an honorable wish to sustain our character of neutrality, in a style which may be a pattern for the morality of nations. The Republic, while they approve of the purity of your conduct, cannot but be persuaded of the purity of our affection.

The President approves your conduct as to the national house, offered for your residence. Your interpretation of the constitution is correct. But you are charged to make known his sense of this evidence of respect.

The affair of the consul is noticed in my letter of the 30th ultimo.

I am, &c.

EDM. RANDOLPH.
Secretary of State.

[No. XI.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, February 18th, 1795.

SIR,

I HAVE just been honored with your favor of the 5th December, and am much gratified by its contents. The preceding one of the 2nd had given me great uneasiness, but this has removed it. I sincerely wish my two first letters had reached you in the order they were written, as they would have prevented yours of the 2nd December, by preventing the impression which gave birth to it.

Be assured I shall continue to forward, by all the means in my power, the objects of my mission, and I am persuaded with the success which might be expected from those efforts, addressed to the councils of a nation well disposed favourably to receive them. The object of this is to acknowledge the receipt of your last letter, and in the expectation that it will accompany, under the care of Mr. Adet, my last dispatch, which was in answer to the preceding one.

[No. XII]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, March 6th, 1795.

SIR,

I AVAIL myself of the opportunity by Mr. Adet, who leaves this to succeed Mr. Fauchet, of transmitting herewith some communications which have lately passed between the committee of public safety and myself, upon the subject of our interfering claims with Spain; and which will serve not only still further to illustrate my former dispatches upon that

point, but likewise to shew the precise ground upon which it now rests. I had thoughts of declining any further effort upon that head, until I was enabled to lay before the committee the project of Mr. Jay's treaty with the English government, and which was and still is daily expected by the return of Mr. Purviance; but from this I was swerved by a report, that the outlines of a treaty were nearly adjusted between the representatives of this Republic with the army, and some agent of Spain on the frontier; from the fear that the peace would be closed with that power before our differences were compromised. Thus circumstanced, I deemed it my duty, in conformity with my instructions (and the more especially, as they had no right to make any inference with respect to that project other than I had stated) to bring the subject more fully before them than I had before done. Among the papers inclosed, which comprize the whole of what passed between us upon this subject, you will observe a note of Merlin de Douay, and which, though given by a single member, and in reply to an informal application,—yet, as it marks a remaining solicitude upon the transaction to which it refers, I have thought it equally my duty to transmit for your information.

No peace is yet made with Spain, nor indeed with any other power, Tuscany excepted, which was before communicated; but it is still probable that one will be made with that power and likewise with Prussia. It is, however, well known, that England is against it; and that she exerts all the address which ingenuity, prompted by interest, can suggest to prevent it; and it is possible that those arguments which are used by the minister in the house of commons, to forward the preparations for war, may have weight in the cabinets of other powers, and incline them to protract any definitive arrangement with this Republic, until just before the commencement of the campaign; in the hopes of profiting in the interim by such events as the chapter of accidents may throw in their way. But I cannot think, if the tranquillity which now reigns here, should remain undisturbed, and the incidents of the interval, in other respects prove favourable to the revolution, that either of them, and especially Spain, will hazard the probable evils of another campaign, for any benefit she can possibly expect from it. In truth, the objects of the war, so far as they were ever understood, are now entirely changed: If a dismemberment of the Republic was among them, that must of course be considered as abandoned: Or if the restoration of the ancient monarchy was the sole one, the

hope of accomplishing it by arms must now likewise be considered as gone. Nations acting entirely on the defensive, never dream of conquests. The only remaining source, from whence the coalesced powers can derive the least hope of success, is founded in the possibility of some internal commotion being excited by the scarcity of provision; the derangement of their finances, or the divisions of their councils: Calamities, it is true, or either of them singly, provided it attained to a certain height, which it is admitted would be sufficient to destroy any government. But whether France is threatened with real danger from this source, in either of those views, is the problem to be solved. Upon the two first points I do not pretend at present to be able to decide with certainty: Indeed the best informed can only conjecture. Bread I know is scarce in some parts; and it is possible much distress may be experienced in those quarters, if foreign supplies are not obtained, and in great amount: But these are expected from the north and from America. It is probable too, that this scarcity has been increased by the speculation of individuals, and in which case it will diminish as the exigency presses.

Nor am I skilled in their financial policy. When I arrived, the assignats were depreciated in comparison with specie, as three to one, and now they have declined to about five and a half for one. The amount in circulation, and the sums occasionally emitted, are wonderfully great, and the depreciation must follow as a thing of course. What measures will be taken with the paper is yet doubtful. Formerly, it had depreciated in equal or greater degree, and then it was elevated to par, by striking out of circulation all the bills of a certain description; securing the payment of the liquidated amount by the mortgage of the national property, aided by the maximum law which regulated the price of every thing. Whether some measures of the like kind will be again adopted, or whether any attempt will be made to appreciate the paper, is equally uncertain. Many consider the appreciation as an evil to be avoided, preferring a gradual decline till it shall finally expire, and adopting then a scale suited progressively to private contracts, and redeeming the whole at the rate it passed in the last stage of circulation. I think it probable this latter policy will finally prevail, as it is advocated with ability and zeal by some who were tutored in our school. The subject, however, is still under discussion, and nothing absolutely decided on it. If this latter plan should be preferred, although no step be taken to appreciate the paper, or even prevent its decline, a considerable time will probably

elapse, before the final suspension; and after this, the Republic will stand nearly upon the same ground on which it commenced. Its debt will be but small, and it will possess, besides the ordinary resource of taxation, &c. national domains to an immense amount; equal, by estimation, to at least two hundred millions sterling, in specie; supported in its credit by Holland (from whence too, other aids are to be expected) and by the reputation of its arms. I will, however, take a more accurate survey of this subject, and give you the result as soon as possible.

And upon the subject of those dangers which are presumed to menace the safety of this Republic from the divisions of its councils, I have but little to add at present to the details already furnished. The papers, herewith forwarded, contain the report of the commission of twenty-one, upon the denunciation of Barrere, &c. and which finds cause of accusation. As soon as the report is printed, the denounced will be heard before the convention, who will decide, by what is called the *appel nominal*, for their acquittal or trial; and in the latter case, they will, in convenient time, be sent to the revolutionary tribunal, and in my opinion, finally, to the guillotine, unless they should previously abscond, as one of them (Vadier) has already done, and which it is wished, even by those most active in the prosecution, they all may do. This particular incident will not be new to you, and in other respects the councils of the country bear the same aspect they have done from the time of my arrival.

In contemplating the possible effects of this prosecution, or what may be called a division of the public councils, the friends of the revolution have cause to regret, that since a decision upon the conduct of these members was to be taken, it was not sooner taken. If it had followed immediately after the execution of Robespierre, it would have occasioned less noise, and borne less the aspect of party collision. Its protraction too has exposed the government to dangers which would not otherwise have existed: For by the delay, the twofold crisis of the trial, and of famine, or rather the scarcity of provisions, will take place precisely at the same moment; than which there certainly could not be a coincidence of events more favorable to the views of the coalited powers, or unfavourable to those of the Republic. But you have already seen by the course of this transaction, that although the preponderating party has denounced, and may finally execute, these members, it has, notwithstanding, acted rather upon the defensive than otherwise. Had the prosecution

been undertaken with that degree of zeal and vigor, of which so decided a majority is always capable, they must long since have been carried to the scaffold. On this side, then, there was obviously no plan; nor indeed is it probable there was any on the other: For I am convinced, that the real object of at least four out of five, on both sides, has been to complete the revolution. The coincidence, therefore, must be deemed one of those unlucky, but fortuitous arrangements, forced by the course of events, not to be controuled, and under which the friends of republican government must console themselves with the reflection, that although, in a possible view, it may prove injurious to their cause, yet if it glides smoothly by, it will produce a correspondent benefit, by demonstrating to the world, how deeply rooted the principles of the revolution are in the hearts of the people.

But does no danger threaten the Republic from this source? In my opinion (I speak of the present moment more particularly) none: For, from all those circumstances which have passed under my view since my arrival, I am satisfied that whilst the majority of the convention is on the side of the revolution it will be supported by the people, and I am even persuaded; that if the majority was against it, although, in consequence, it would be able to occasion great confusion and do in other respects much injury; yet it would not be able to restore the ancient monarchy. In advancing this position, I reason not only from recent incidents, but from past events; and by which I see that the great mass of the French nation, through all the vicissitudes of the war, and succession of parties, was always on the side of the revolution; supporting the convention with an undeviating perseverance; not because it possessed their unbounded confidence, but because they believed it to be true to the main object, and was, of course, the only solid rock upon which they could rest with safety. A variety of circumstances, marked in strong characters and by great events in the course of the revolution (heretofore communicated and which on that account I forbear to repeat) tend to demonstrate the truth of this position. Nor have the citizens of this Republic merited, in other respects, the reputation for turbulence and licentiousness, often ascribed to them in foreign countries: For it is unquestionably true, that the great atrocities which have stained the different stages of the revolution, and particularly the massacres of the 2d and 3d September, 1792, and the invasion of the convention on the 31st May, 1793, which terminated in the arrestation and destruction of the Girondine party, did not proceed from a licenti-

ous commotion of the people. On the contrary, it is believed, that many of the immediate agents in the first were not inhabitants of Paris; but brought from a considerable distance, and some even from Italy, put in motion by some secret cause not yet fully understood. It is also affirmed, that the great mass of the people of Paris were ignorant of what was perpetrating at the time of the transaction, and that those who knew of it were struck with the same horror that we were when we heard of it on the other side of the Atlantic. And the movement of the 31st of May, when they were embodied and arranged against the convention, was a movement on their part, in obedience to the law, and for which they were regularly summoned, and commanded by the ordinary officers. It is said that the great mass knew nothing of the object to which they were to be made instrumental: That the secret was deposited with a few only in the convention; such as Robespierre, Danton, &c. who governed the operation, and the Mayor of the city; the general and some principal officers of the guards, and who marshalled the citizens out as upon an ordinary parade. The party in the house, which controuled the movement, knew how to turn it to good account. The Mayor, a partizan of Robespierre, &c. had a few days before presented a petition, demanding the arrestation of the twenty-two members, and it was now urged in the house by Couthon, a leading member of the same party, that the present discontents, and which he said occasioned the movement in question, and threatened the annihilation of the convention, could not be satisfied, unless those *obnoxious* members were arrested. And as the Girondine party did not controul the movement, or know any thing about it, otherwise than as appearances announced, and which were tremendous, for Henriot was then also at the head of the guards,—the declarations of the other party were believed to be true, and the members in consequence arrested. Thus by mere finesse, and under a dexterous management, the Girondine party was completely overwhelmed, and the mountain party as completely established on its ruins, and by means of the people; who being exhibited in dumb-show by the latter were the object of terror, and the cause of the overthrow of the former, notwithstanding it was, at the time, the preponderating party in the convention, and equally so in the public estimation.

These latter details may perhaps appear inapplicable to the subject: But as I consider them of some importance, as well to enable you to judge of the future fortune of the revolution, as of those dangers which are supposed by many, more imme-

diately to threaten the welfare of the Republic, I have thought proper to communicate them to you. The success of the revolution depends upon the people: Whatever, therefore, unfolds the character and disposition of the people, and especially in relation to that object, must of course be useful.

I was advised by your favor of the 2nd December, that Mr. J. Pitcairn of New-York was appointed consul for this city, and upon which appointment some considerations have occurred which I have thought it my duty to suggest. Permit me to ask: Is he an American citizen, and if so, whether by birth or naturalization; and, in the latter case, whether he became such since the revolution? If of the last description, his arrival will subject me to great embarrassment, and for reasons given in my fourth letter of the 18th October last; and to which, with those from the commissary of foreign affairs to me, transmitted at the same time, I beg leave to refer you. I candidly think, if his situation is known, being a person deemed by the English law a subject of that crown, he will not be recognized, or if recognized, not without great reluctance. Shall I announce him then, withholding a communication of the fact, admitting it to be a fact? In case I do, and it is afterwards discovered, what will be the impression of this government towards myself, and especially after what has passed between us on the same subject; finding that I had placed without their knowledge in office, and immediately in the presence of the public councils, a person of a description against which they had particularly objected? And that it will be discovered, and immediately, is most certain; for there are already letters for him here from England, and these will most probably be multiplied tenfold after his arrival: Besides, the character, &c. of every foreign agent, and of every grade, being an object of systematic political enquiry, is always well known. But admitting the acquiescence of this government in his favour, in other views this subject merits attention. It is to be observed, that a great proportion of the business of our countrymen here is transacted with the government: The adjustment frequently requires my official support: If then he does not possess the confidence of the government, he will not only be unable to render that service to our countrymen which might be expected from one in his station; but as he will be brought officially into frequent and familiar communication with me, it will follow, that precisely that portion of distrust to which he is subject will attach itself to me and produce a correspondent effect, to a certain degree, upon every subject depending here, in which we are interested. I know well

that if my fourth letter had been received, I should not have been placed in this dilemma: But how to act in case he arrives, I do not know. I console myself under the hope he will not arrive; but, by delaying his departure until that letter was received, put it in your power to reconsider the appointment.

P. S. March 9. Since writing the above, I have been explicitly assured by Mr. Pelet, a member of the diplomatic section of the committee of public safety; that in confidence Mr. Jay's treaty contained nothing which would give uneasiness here, they had expressly instructed their agent, now negotiating with Spain, to use his utmost efforts to secure for us the points in controversy between the United States and that power. In consequence, I thought proper to send in a short supplemental note, explanatory of the several objects of that controversy, and which I likewise inclose with the report of Mr. Mountflorenc, by whom it was delivered. What the success of their endeavours in our behalf may be, is uncertain; but we cannot expect the conclusion of their own treaty will be long delayed on that account.

I had forgotten to notify you officially the present I had made to the convention of our flag. It was done in consequence of the order of that body, for its suspension in its hall, and an intimation from the President himself, that they had none, and were ignorant of the model. I herewith send you a copy of my note to him accompanying it.

From the Minister Plenipotentiary of the United States of America, to the Committee of Public Safety.

Paris, January 25th, 1795.

I HAVE thought proper to present to your view, in the inclosed paper, the situation of the United States in relation to the river Mississippi, and respecting which a negotiation is now depending with the court of Spain. This paper opens fully this interesting subject in its relation to both republics, and which it is proper you should be correctly informed of, at the present time. France can only assist in opening the river, by inviting the American minister, Mr. Short, to act in concert with her, when she shall conclude her treaty with that power, and which, by her permission, I can easily accomplish; or by comprising it in her own treaty. I have no power

er to treat upon this subject, otherwise than by bringing it thus before you, for the purpose of ascertaining what your disposition is upon it; and which, with any comments you may be pleased to make, I shall be happy immediately to communicate to the American government.

Notes respecting the River Mississippi; communicated to the Committee of Public Safety.

Paris, January 25th, 1795.

THE river Mississippi extends from about the forty-eighth degree of north latitude to the twenty-ninth, where it empties into the gulph of Mexico, running nearly a north and south course, and through a tract of the most fertile country in the world.

It bounds the United States to the west, from latitude thirty-one, to its source; an extent, pursuing the course of the river, of about two thousand miles.

Many rivers empty into the Mississippi on the east; the principal of which are the Illinois and the Ohio, and which, with their branches, spread through the whole of the western interior of the United States, and make it a most delightful region. Other rivers empty into it from the west, of which the Missouri is the most important. This latter has never been traced to its source; although voyagers have passed up it above one thousand five hundred miles: It is however believed, that it penetrates further into the bosom of the continent than the Mississippi itself.

The whole of that portion of the United States lying westward of the Alleghany mountains, and which comprizes about one half the territory within the said states, depends upon this river for the export of its productions to foreign markets. It comprehends a portion of the territory of several of the existing states: Perhaps one third of Pennsylvania, Virginia, North-Carolina, and Georgia; the whole of Kentucky, and an immense tract of vacant territory, lying between the Ohio and the Mississippi, which has already been laid out into five separate states, and which are to be admitted into the Union with the same rights as the old states, when they shall respectively attain a certain number of inhabitants. Of these, it is proposed to settle one only at a time, and of which the first has already been commenced.

When we examine the extent of this territory; its fertility, superior to that of the old states; the felicity of its climate, ly-

ing all within the temperate zone; the kind and quality of its productions, such as hemp, flour, corn in, short every thing necessary in human life; protected in its infant settlements by the government of the United States, and admitted as soon as it shall attain a certain degree of maturity to equal membership with them,—we are compelled to appreciate it more highly than any other vacant tract known upon the globe.

Its settlement is of importance to all those European countries, whose inhabitants are engaged in manufactures; because it will furnish, in abundance, rude materials for every species of manufacture: To those which have occasion at times for the supply of provisions; because it will furnish an exhaustless source of every species of provision: But it is of peculiar importance to those which have islands in the West-Indies; because it lies in the neighbourhood of those islands, the mouth of the Mississippi being nearly in the same latitude; and will furnish every thing in demand there, such as lumber, provisions, &c.

But the commerce of this country, when settled, will depend upon the navigation of the Mississippi, and of course the settlement itself will depend upon the same cause. This was secured by a treaty of peace between the United States and Great-Britain in 1783, but has hitherto been prevented by Spain, from motives equally unjust and illiberal. A negotiation, the object of which, on our part, is to open it, is and has been depending with that power since that time.

At the time our peace was made with England, the importance of this country was little known in her councils: It is said, that her negociators did not even know on which side of the lakes, and of course within whose jurisdiction, the forts which have since been the subject of contention, lay: But its importance was soon afterwards understood, and from which time it is certain, that Britain has regarded it with particular attention, in hopes either of gaining it to herself, or otherwise making it subservient to her schemes of policy. With this view she refused to surrender the posts, excited the Indians to make war on our frontiers, encouraged Spain to refuse our right to the navigation of the Mississippi, and did us other injuries of the same kind.

It is certain that the western people will sooner or later open this river, either by negociation or by force, and more than probable that England, retaining, as she still does, her resentment against the old states, for their independence, and against

France for the aid given in that war,—will watch the uneasiness of the Western people, on account of the obstructed navigation of the river, and improve it into an opportunity of separating the new from the old states, and connecting them with her interest in Canada, by undertaking to open the Mississippi to both countries: And with which view it is said that she has long had agents there to treat upon this subject; and that nothing has prevented her success, but the attachment the people have to their brethren in the old states; their repugnance to become the sport of foreign politics, and which would follow their separation; and the particular enmity they bear to that power. Next to conquest, separation would be the most advantageous arrangement for Britain; for in consequence, and especially if opened under her auspices, she would become the ally of the western states, and play them off against the eastern; whereby their importance and weight in the scale of nations would be diminished, if not destroyed. Many believe, and with this view, that she was at the bottom of the late insurrection on the frontier, and which grew out of the discontents proceeding from the occlusion of the river.

But the same motive which inclines England to promote the separation of the new from the old states, should dispose France to prevent it. As they now stand, the whole are the allies and the friends of France, and whilst they remain united they will continue so: By the separation, therefore, Britain might gain, but France could not.

It is then the interest of France to keep the whole of this territory under the same government: But this cannot be done unless the intrigues of England be defeated, and the Mississippi be opened under the patronage of the United States. It is, therefore, the interest of France to yield her aid to her ally, to open this river, and which at the present crisis would most probably produce a decisive effect. Nor would her retribution be limited to those considerations only, which have been already mentioned. Experience has shewn, that those alliances are not only the most beneficial, but likewise most durable, which are founded equally in the affection and the interest of the parties, and by this act of friendship, France would establish a claim to the gratitude of the American people; which by pervading every quarter would reach the heart of every citizen. It would be known to the present race and remembered by posterity, that, by the aid of France, the old states were enabled to gain their independence, and that likewise by her aid the new states commenced their settlement.

grew up in the enjoyment of their rights, and attained their maturity.

In the present state of the war with Spain, it is presumed, that France may obtain what is here proposed; and indeed, infinitely more, either in the islands or even in South America, and without the least difficulty. Her system is a system of freedom to the world, as well in respect to the rights of nations as of men: It is therefore hoped she will avail herself of the present opportunity, not only to verify that fact; but to manifest, at the same time, the pleasure with which she embraces every opportunity that occurs to promote the interest of her ally.

From the Committee of Public Safety, to the Minister Plenipotentiary of the United States of America.

Paris, 17th Pluviose, 3d Year of the Republic.

(February 8th, 1795.)

CITIZEN MINISTER,

WE have received, with your letter of 9th Pluviose, a note explanatory of the situation of the United States in regard to the river Mississippi.

We acknowledge, by the solicitude which you shew in the negociation of this affair, that nothing which can tend to confirm the bonds of friendship and harmony between the two first republics in the world, is strange or indifferent to you.

We thank you for the ideas you have communicated to us: We will examine them profoundly, and we will communicate to you without delay our observations upon your note. But we appreciate before hand the motives of this loyal communication.

(Signed)

CAMBACERES, MERLIN, &c.
PELET,

From the Committee of Public Safety, to the Minister Plenipotentiary of the United States of America.

Paris, 16th Pluviose, 3d Year of the Republic.

(February 5th, 1795.)

CITIZEN MINISTER,

THE citizen Bourgoïn, formerly minister of France at Madrid, informs us, that he has asked of you to transmit into

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Spain, under your cover, two letters which he wishes to send there upon his own affairs. He also informs us, that you are willing to render him this service, provided it is desired by the committee of public safety. We have in consequence examined the letters in question, and are satisfied that they contain nothing contrary to the interest either of the French or American people. It therefore appears to us, that you may without difficulty transmit under your cover these letters of the citizen Bourgoïn, and which we now send you. We undertake to forward them to the frontiers with your dispatches by the first courier extraordinary which we shall expedite to the army of the Western Pyrenees.

(Signed)

CAMBACERES, PELET, &c.
MERLIN,

Note. This was the commencement of the negociation between France and Spain.

From the Minister Plenipotentiary of the United States of America, to the Committee of Public Safety.

Paris, February 7th, 1795.

I ACCEPT with great pleasure the opportunity offered, of writing to the American minister at Madrid, and with equal pleasure transmit the letters, inclosed me in your last, to his care; never doubting that whatever comes from you to me will equally promote the interest of both republics.

From Merlin de Douay, Representative of the People, to Citizen Skipwith, Consul of the United States of America.

Paris, 3d Ventose, 3d year of the Republic.

(February 22d, 1795.)

I HAVE received, citizen, the observations you have addressed to me, upon the navigation of the Mississippi. The ideas which they present are not new to me, nor the committee of public safety; and I have reason to think they will be taken into profound consideration, in suitable time and

place. I ought not to dissemble, however, that this may depend much upon the conduct which the American government will observe in regard to the treaty, which its minister, Jay, has concluded with England. You know, in effect, that there ought to be a reciprocity of services and of obligations between nations, as between individuals. I speak, however, here as an individual.

From Mr. Monroe, to the President of the National Convention.

Paris, September 9th, 1794.

CITIZEN,

THE convention having decreed, that the flag of the American and French Republics should be united together, and suspended in its own hall, in testimony of eternal union and friendship between the two people; I have thought I could not better evince the impression this act has made on my mind, or the grateful sense of my constituents, than by presenting; in their behalf, that of the United States to the representatives of the French people. Having caused it, therefore, to be executed, according to the model prescribed by a late act of Congress, I now commit it to the care of captain Barney, an officer of merit in our own revolution, and who will attend for the purpose of depositing it wherever you will be pleased to direct. I pray you, therefore, to accept it, as a proof of the sensibility with which my country receives every act of friendship from our ally, and of the pleasure with which it cherishes every incident which tends to cement and consolidate the union between the two nations.

No. XIII.

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, March 17th, 1795.

SIR,

I HAVE just received a letter from Mr. Jay, of the 5th of February, in answer to mine of the 17th January preceding, and by which he declines to communicate to me the purport of his treaty with the English government; although he had previously promised it. As he has explicitly declared

himself to this effect, I consider the business of course closed between him and me; nor should I make a further comment on it, were I not otherwise impelled by the style of his reply; which is obviously addressed more for your consideration than mine. To you, therefore, my comments upon that reply shall also be submitted.

Mr. Jay says: That he has no right to communicate the treaty since it belongs exclusively to the governments which form them; and by which I understand that the minister has no discretion on the subject, being bound to communicate with his government only. If this proposition is true, which (especially if no latitude is given him by his instructions) I am willing to admit, it follows, that as the injunction of secrecy applies to the whole instrument, it must of course to every part. It were absurd to say, that in the gross or as an entire thing it must be kept secret, but yet in the detail it may be divulged. How then does his conduct correspond with his own doctrine; having in his three several letters communicated a particular article, and *promised* in the second the whole.

But he likewise says, that the communication was intended to be *confidential*, or in other words to be secret; for such is the ordinary import of the word. But will his letters bear that construction? Does it appear as if the communication was intended merely to gratify, on my part, private curiosity; or for the benevolent purpose only of announcing to me an event favourable to our country? On the contrary; does it not appear from each of his letters, that he had anticipated the disquietude of this government upon the subject of the treaty, and wished to remove it; and that the communication promised was intended for me in a public capacity, and to be used for public purposes? In short, had I been in a private station, is it probable he would have written or communicated any thing to me on the subject? Certain, however, it is, that in no view was it possible for me to consider the communication promised, though termed a confidential one, as imposing on me any other restraint than that of *caution*; whilst it *exonerated* him, and made *me responsible* for the blame of a disclosure, in case it was made and produced any inconvenience.

As I really believed, at the time I wrote to Mr. Jay, that he intended to make the communication in question, and likewise concluded from his own assurances, as well as from other circumstances, that the treaty comprized in it nothing that could give just cause of complaint here,—I thought I

could not better forward his own views, or the interest of our country (especially as Mr. Morris had taken his copy of the cypher with him) than by sending a confidential person for it. You will, therefore, judge of my surprize, when instead of the communication expected, I received his letter of the 5th of February, containing an absolute refusal to make it.

But in reviewing now his several letters, it is difficult to ascertain what he intended to do, or what his real object was in writing them: For he says in these, that he is not at liberty to disclose the purport of his treaty, and yet *promises* it: That he will give me the contents or principal heads, to enable me to satisfy this government; but yet will give them only in *confidence*, and of course under an injunction, that will put it out of my power to give the satisfaction intended: And, finally, when application is made, upon the basis of his own letters, for the information in question, and for the purpose by him contemplated, he not only refuses to comply with what he had promised, but criminales this government for entertaining any uneasiness or making any enquiry on the subject.

When one party offers a thing upon the principle the other has a right to it, as was the case in the present instance, the justice of the demand, on the part of the latter, is of course admitted. There may, indeed, be some merit in offering it before the demand is made; but to make the offer and then recede from it, subjects the party thus acting to an additional proportional reproach. Had Mr. Jay, however, chosen to place himself in this dilemma, from me he would have heard nothing more on the subject: I should have lamented, it is true, as I now do, that I was not possessed of information that might be useful to our affairs here; but there the business would have ended, for both his promise and my application were, and still are, unknown to this government. But to recede in the manner he has done, putting his refusal upon the ground of *national dignity*, &c. is neither consistent with candour, nor the true state of things.

Had Mr. Jay confided to me the information in question, and in due time, and which, it is obvious, he thought himself in duty bound to do, I should then have become responsible for a proper use of it: And, I am satisfied, admitting it to be as by him represented, good use might have been made of it: For I should not only have been enabled thereby to quiet their fears, and whose legitimacy he acknowledges by his efforts to remove them; and silence a thousand unfavourable insinuations whispered about by the enemies of both

countries ; but by the frankness of the communication, have most probably made the incident the means of conciliating, instead of weakening, the friendly disposition of this government towards us. I am likewise persuaded, that if I had been authorized to declare, generally, from my own knowledge (being the minister on the ground, and responsible for the truth of the declaration) that the treaty did not interfere with our engagements with this republic, but that being a mere project, subject to rejection, &c. it ought not to be published,—it would have been satisfactory. And had the communication been sent to me, even in this last stage, such would have been my conduct, and most certainly such the effect : In any event, had I gone further against his request, upon me, and not upon him, would the responsibility have rested. But this was not Mr. Jay's object : On the contrary, it is obvious, that he wished me to compromise my character, and through me that of the United States with this nation, upon the contents of this treaty, without letting me see it ; or placing in this government or myself the least confidence in regard to it ; and which I would not do, nor, in my opinion, ought I to have done.

Whether this government acted with propriety, in asking for information upon the point in question, is a subject with which I have nothing to do. I am responsible only for the answers given, and which you have. My application to Mr. Jay was certainly not founded upon theirs to me ; for I had contemplated it before theirs was received. I had then gained such an insight into their councils, as to satisfy me ; that all our great national objects, so far as they were connected with this Republic, were more easily to be secured by a frank and liberal deportment, than a cool and reserved one : That if we wished to preserve our neutrality with strict integrity, and avail ourselves at the same time of its fortunes, and without the least hazard on our part, in the negotiation with Spain, as likewise in that with England (in case Mr. Jay's treaty was rejected) that this was the way to do it : In short, that if it was necessary to gain the approbation of this government to any thing in that treaty, which it would otherwise disapprove, that this was the way to do it. Nor can I see any condescension in such a line of conduct ; on the contrary, between nations allied as we are, and especially, when past and recent circumstances are considered, I deem it the most magnanimous as well as the soundest policy. Mr. Jay, however, is now of a different opinion, and for the future I shall not disturb him in the enjoyment of it.

You intimated to me in your last, that Mr. Pinckney was commissioned as envoy extraordinary for Spain, upon the subject of the Mississippi; and you have seen by my last, how far I had succeeded in calling the attention of this government to that object. It is probable Mr. Pinckney will pass through France, and of course by Paris, on his mission: In case he does, I will most certainly open to him every thing that has taken place here on that subject, and endeavour, according to the plan he shall prescribe, to render him, in every respect, all the services in my power. I have already intimated to Mr Short, by a confidential messenger from Lisbon, the good understanding which subsists between this government and our own, upon that point; so that there is in every view the most favourable prospect of a successful termination of this interesting business, the completion of which will reflect so much honor upon the administration by which it may be accomplished.

The Vendée war is considered as completed: Charette, the commanding general, has surrendered with all the forces immediately under his command; and likewise undertaken to quell a small remaining body of about one thousand, which yet holds out. It is said, the liberty of religion granted by a late decree, terminated this war. A short time, however, will now disclose whether this compromise, or the general favourable aspect of the present moment, is real or delusive; since, if there is a force in the nation opposed to the revolution of sufficient strength to make head against it, and which I do not think there is, I doubt not it will shew itself.

From Mr. Jay, to Mr. Monroe.

London, February 5th, 1795.

SIR,

I HAVE received the letter which you did me the honor to write on the 17th of last month, by Mr. Purviance.

It is much to be regretted, that any unauthorised accounts in English newspapers, of my "Adjustment with the British administration," should have excited much uneasiness in the councils of the French government;—and the more so, as it does not imply that confidence in the honor and good faith of the United States which they certainly merit.

You must be sensible that the United States, as a free and independent nation, have an unquestionable right to make any pacific arrangements with other powers, which mutual convenience may dictate;—provided those arrangements do not contradict or oppugn their prior engagements with other states.

Whether this adjustment was consistent with our treaty with France, struck me as being the only question which could demand or receive the consideration of that Republic; and I thought it due to the friendship subsisting between the two countries, that the French government should have, without delay, the most perfect satisfaction on that head.—I therefore, by three letters, viz. of the 24th, 25th and 28th of November, 1794, gave you what I hoped would be very acceptable and satisfactory information on that point:—I am happy in this opportunity of giving you an exact and literal extract from the treaty;—it is in these words—viz.

“ Nothing in this treaty contained, shall, however, be construed or operate contrary to former and existing public treaties, with other sovereigns or states.”

Considering that events favourable to our country could not fail to give you pleasure, I did intend to communicate to you concisely some of the most interesting particulars of this treaty, but in the most *perfect confidence*:—As that instrument has not yet been ratified, nor received the ultimate forms necessary to give it validity;—as further questions respecting parts of it may yet arise, and give occasion to further discussions and negotiations, so that if finally concluded at all, it may then be different from what it now is, the impropriety of making it public at present is palpable and obvious.—Such a proceeding would be inconvenient and unprecedented:—It does not belong to ministers who negotiate treaties, to publish them even when perfected, much less treaties not yet completed, and remaining open to alteration or rejection:—Such acts belong exclusively to the governments who form them.

I cannot but flatter myself, that the French government is too enlightened and reasonable to expect that any consideration ought to induce me to overleap the bounds of my authority, or to be negligent of the respect which is due to the United States:—That respect, and my obligations to observe it, will not permit me to give, without the permission of their government, a copy of the instrument in question to any person, or for any purpose; and by no means for the purpose of being submitted to the consideration and judgment of the councils of a foreign nation, however friendly.

I will, Sir, take the earliest opportunity of transmitting a copy of your letter to me, and of this answer to it, to the secretary of State;—and will immediately, and punctually, execute such orders and instructions as I may receive on the subject.

[No. XIV.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, April 14th, 1795.

SIR,

I WAS lately favoured with a letter from Mr. Jay, of the 19th of February; by which I was informed that the bearer, Colonel Trumbull, who had copied and knew the contents of his treaty with the English government, was instructed to communicate the same to me, because I was an *American Minister*, and in which character it might be *useful* to me; but that I must receive it in *strict confidence*, and under an injunction to impart it to no other person whatever. As I had explicitly stated to Mr. Jay, in my letter by Mr. Purviance, the only terms upon which I could receive the communication; and which I had done, as well for the purpose of covering my engagement with the committee, formed after the receipt of his first letter, and when I expected no further information from him on the subject, as of preventing the transmission of it, in case it contained the slightest circumstance which might be objectionable here,—I could not otherwise than be surprized by the contents of this letter. To withhold the communication at the moment when it was presumable the report of the contents of that treaty would excite a ferment here, and offer it, after the expiration of some months, and when it was expected from America, and upon terms upon which I had assured him I could not receive it, to say nothing of the impossibility of comprehending how it could be useful to me, if it was to be kept a profound secret, was unexpected: It was the more so, since it was obvious, that whilst the condition insisted on precluded the possibility of enabling me to promote thereby the public interest, it would unavoidably tend, in some respects, to subject me to additional embarrassment in my situation here.

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I was likewise soon apprized, that Colonel Trumbull did not consider himself at liberty to make the communication in question, unless I asked for it; and by which it was understood, that I bound myself to accept it on the terms proposed, adding thereby to the injunctions of Mr. Jay, the additional obligation of private stipulation. The dilemma, therefore, with which I was threatened, was of a peculiar kind: For if I accepted and withheld the communication from the committee, I should violate my engagement with that body; and if I gave it, I subjected myself not only to the probable imputation of indiscretion, but likewise certainly to that of breach of promise. The line of propriety, however, appeared to me to be a plain one. I was bound to use such information as Mr. Jay might think fit to give me in the best manner possible, according to my discretion, to promote the public interest: But I was not bound to use any artifice in obtaining that information, or to violate any engagement by the use of it. My duty to the public did not require this of me, and I had no other object to answer. As soon, therefore, as I had made a decision on the subject, I apprized Colonel Trumbull, that I could not receive the communication proposed, upon the terms on which it was offered.

But the mission of this gentleman here, though according to my information of him, a worthy and a prudent man, produced an effect of a more serious kind. I was soon advised by a person friendly to the United States, and heretofore friendly and useful to me; that his arrival had excited uneasiness in the public councils, and would probably eventually injure my standing with the government, especially if I should be able to give the committee, in consequence, no account of the contents of that treaty: For it would hardly be credited after this, considering the relation between Mr. Jay and myself, that I knew nothing of those contents. Upon what other motive, it would be asked, could the secretary of Mr. Jay come here; since the pretence of private business in Germany, which lay in another direction, would be deemed a fallacious one? He added, that the wisest precautions were necessary on my part, to guard me against any unjust imputation; since through that the interests of my country might at the present crisis be essentially wounded. As I had anticipated in some measure the effect, I was mortified but not surprized by the intimation. It became me, however, to profit by it, and as well from the delicate regard which was due to my private as my public character, to place the integrity of my own conduct upon ground which could not be questioned.

There appeared to me to be but one mode by which this could be done, and which was by making known to the committee what had passed between Mr. Jay and myself; to state the terms upon which he had offered the communication, and my refusal to accept it on those terms; with my reason for such refusal. This you will readily conceive was a painful task: But as I had no other alternative left, but that of exposing myself to the suspicion of having known from the beginning the purport of Mr. Jay's treaty, and uniting with him in withholding it from them, whilst I was using all the means in my power to impress them with a contrary belief,—I was forced to undertake it. In consequence I waited on the diplomatic section of the committee, and made the representation as above, repeating Mr. Jay's motive for withholding the communication, as urged by himself: "That it belonged to the sovereign power alone to make it, &c." It was replied that it could not otherwise than excite uneasiness in the councils of this government, when it was observed that in the height of their war with the coalesced powers, and with England in particular, America had stepped forward and made a treaty with that power, the contents of which were so carefully and strictly withheld from this government: For if the treaty was not injurious to France, why was it withheld from her? Was it prudent for one ally to act in such manner in regard to another, and especially under the present circumstances, and at the present time, as to excite suspicions of the kind in question? I assured them generally, as I had done before, that I was satisfied the treaty contained in it nothing which could give them uneasiness; but if it did, and especially if it weakened our connection with France, it would certainly be disapproved in America. They thanked me for the communication; assured me they wished me to put myself in no dilemma which would be embarrassing, and thus the conference ended.

A few days after this, I was favoured with a letter from Mr. Hitchborn, an American gentleman of character here (from Massachusetts) of which I inclose you a copy, stating the contents or outlines of the treaty in question; as communicated to him by Colonel Trumbull, and with a view that he might communicate the same to me, for the information of this government. I was surprized at the incident; because I could not suppose that Colonel Trumbull would take this step, or any other, without the instructions of Mr. Jay, and it seemed to me extraordinary, that Mr. Jay should give such an instruction, or mark to him such a line of conduct. I was not surprized that Colonel Trumbull should confide the pur-

port of the treaty to Mr. Hitchborn, for he merited the confidence; but I was surprized that Mr. Jay should write me it was to be communicated to me only as a *public minister*, &c. to be imparted to no one else, and that Colonel Trumbull, however deeply impressed he might be after his arrival here with the propriety of removing the doubts of this government upon that point, should consider himself at liberty to communicate the same to a third person, to be communicated to me, under no injunction whatever. I was, however, possessed of the paper in question; and it was my duty to turn it to the best account for the public interest, that circumstances would now admit of. It was, it is true, the most informal of all informal communications, and one of course upon which no official measure could be taken; yet the character of the parties entitled it to attention. Upon mature reflection therefore, and the more especially as I did not wish to meet the committee again on that point, until I heard from you, lest I should be questioned why this new mode of diplomatic proceeding was adopted, I thought it best to send the paper in by my secretary, Mr. Gauvain (a young gentleman who acted with me, since the provisional nomination of Mr. Skipwith to the consulate) instructing him to assure the members, on my part, that they might confide in the credibility of the parties. The paper was presented to Merlin de Douay, with the comments suggested; and since which I have neither heard from the committee, Colonel Trumbull, nor Mr. Jay on the subject.

I intimated to you in my last, that I was persuaded if there was a force here able and willing to make head against the revolution, it would soon shew itself; but that I was of opinion none such existed. This presage has been since verified by a great and interesting example. The storm which I thought I then saw gathering, after rising to its height and expending its force, has past, and without doing any mischief. On the contrary, I am inclined to believe, from present appearances, it will be productive of good.

It was natural to expect, that the trial of Barrere, Collot d'Herbois, and Billaud de Varennes; three men, who were in the early stages, the associates, and in the latter, in some degree, the rivals of Robespierre's power, and who were, after his fall, unquestionably at the head of the mountain party, would excite some ferment. It was equally so, to presume, that if that party was not so completely crushed, as to preclude all hope of success, it would in some stage of the proceeding, make an extraordinary effort to preserve them. The

epoch of this trial was, therefore, deemed by all an important one to France; and its several stages were marked by circumstances, which tended rather to encrease, than diminish, the general solicitude.

Under the banner of this party, and apparently in favour of the acquittal of these members, the discontented of every description were seen rallying; forming in the whole an extraordinary assemblage; being gathered from the various, and heretofore opposite, classes of society, but united now for the common purpose of disturbing the public tranquillity. The prisons, which were filled in the time of Robespierre, and opened under the more humane administration of the present day, had discharged upon the city an immense croud of the ancient aristocracy, and who soon gave proofs, that the severe discipline they had undergone had not eradicated the propensities that were acquired under the reign of the ancient court. As the present administration had rescued them from the guillotine, and to which they were otherwise inevitably doomed, it was at least entitled to their gratitude. This slight tribute, however, was not paid for that important service. On the contrary, these were among the most active in fomenting the present discontents. Another group, not less numerous, or turbulent; composed of the refuse of the lately disfranchised, or rather routed, Jacobins and their adherents were seen marshalled by its side, and acting in harmony with it. These two classes of people, and who were heretofore at endless war with each other, now combined, formed a force of some strength, and excited in the minds of many well disposed persons, serious apprehensions for the public safety.

The increasing scarcity of bread, and which menaced an unavoidable diminution of the ordinary allowance, contributed much to increase the apprehension of danger. A deficiency in this article in Paris, under the ancient government, generally excited a tumult. It was, therefore, a primary object in every reign, and with every administration, to guard against such deficiency, as the greatest of public calamities. Abundant stores were, in consequence, always provided, when it was possible to provide them; and let the scarcity or price be what it might, in other quarters, the ordinary allowance, and nearly at the ordinary price, was distributed, as in times of greatest plenty, among the inhabitants of this city. Such, likewise, had been the practice since the change of the government; so that a state of affairs which announced the approach of a deficiency, announced likewise

that of a crisis extremely important in the history of the revolution. The most firm knew it was an experiment yet to be made; and from which, whilst they counted upon no possible benefit, they had many reasons to apprehend some real inconvenience.

It was foreseen, that if any movement was set on foot, the deficiency of bread, if that was the fact, would be made the pretext; and as the complaint, being addressed to the wants of all, would excite a general sympathy, it was feared that such deficiency would tend much to encrease the strength of the insurgent party. In every view, therefore, the crisis which approached was an interesting one: It was, however, at hand, and no other alternative remained, for those whose duty it was to sustain it, than that of yielding under, or meeting it with firmness, and passing through it as well as possible.

As soon as it was known that a diminution of the ordinary allowance was unavoidable, it was resolved to make it known likewise to the people, that they might not be taken by surprise; and for this purpose Boisy d'Anglas, of the section of subsistence in the committee of public safety, appeared at the tribune, some days before it took effect. His discourse, which was short, but explicit, began by exposing freely the enormities and vicious arrangements of the ancient committees; whereby, he said, France had already been visited with many great calamities, and was still threatened with others; and concluded by observing, that even famine was likewise one proceeding from that source; which neither the wisdom nor the industry of the present councils had been able altogether to avert: That he was happy, however, to assure the convention, that as the most prudent measures were long since taken, to correct the abuses of that administration, the distress of Paris would be for a short term only. The communication was received by Barrere, Billaud de Varennes, &c. and by the members of the mountain party in general, with a smile of approbation. It was obvious they considered Boisy, as a welcome messenger, announcing to them joyful tidings. A few days afterwards, the deficiency so much dreaded took place, and, at the same time, the intrigues of the discontented began more fully to unfold themselves.

The movement was commenced by about four hundred citizens, from a section heretofore noted for its turbulence; and who, appearing without the hall, demanded admission to the bar of the convention. A deputation from the party, consisting of twenty members, was admitted, and who ad-

dressed that body in a style unusual; complaining of the want of bread, and declaring also, that they were upon the point of regretting the sacrifices they had made to the revolution. The answer of the President (Thibeaudaut) was firm and decisive. To that part of the address which complained of the scarcity of bread, he replied, by stating the measures of the government to remedy it: And to that which exposed the temper of the party in regard to the revolution, he answered explicitly, that he knew the disaffected were at work to excite trouble, but that their efforts would be fruitless; for, enlightened by experience, and strong in the power of the whole nation, the convention would be able to controul their movements; and in closing, he addressed himself more particularly to the memorialists, saying, that the efforts of the people to recover their liberty would not be lost, whilst good citizens seconded the labours of their representatives; that despair belonged only to slaves; freemen never regretted the sacrifices they had made in such a cause. The answer, which was received with general applause, checked for awhile the turbulent spirit of the disaffected.

But this party had too much at stake, and its measures were probably too far advanced, to be abandoned in this stage. About a month after this, and which was on the 1st of April (12 Germinal) a more numerous body, consisting principally of workmen from the Faubourg of St. Antoine, presented itself likewise before the hall, demanding admission to the bar of the convention; and upon some pretext, and in violation of the usual forms, immediately forced its way into the hall of that assembly. The croud increased, so that in the course of a few hours, there were in the hall, perhaps, three or four thousand; and in the vacant external space around it, as many more. The proceedings of the convention were suspended: The President, however, and the members kept their seats, declaring, that as their sitting was violated, they would do no business: Indeed it was now impossible to do any had they been so disposed; for the general and tumultuous cries that were raised by the invaders for "bread" for "liberty to the patriots," meaning some of the accomplices of Robespierre, could alone be heard. They continued thus in the hall about four hours, from two to six in the evening, offering in the interim no violence to any of the members; but behaving, in other respects, with the utmost possible indecorum. When they first entered, some circumstances were seen which caused a suspicion, that a good understanding subsisted between the leaders of the mob and some members of

the mountain party: And it was likewise observed, that their final retreat was made upon a suggestion from that quarter; for as soon as an admonition to that effect was given from that quarter it was obeyed. Many believed it was intended to lay violent hands upon all the leading members of the preponderating party, and either murder them in their places, or send them to prison, to be murdered afterwards, under the form of a trial; as was the case in the time of Robespierre; whereby the preponderating scale would be shifted to the other side, and the reign of terror revived again for awhile. Be the plan, however, what it might, it was soon frustrated; for, as the movement was that of a mob against the civil authority, its operations were irregular and disorderly: It had no chief to lead it on to acts of violence: The time was therefore, whiled away in senseless uproar, till at length the putative authors of the movement were as uneasy about the issue, and as anxious to get rid of it, as those at whom it was supposed to be pointed. In the interim too, the means that were adopted without, tended not only to secure the general tranquillity of the city; but most probably to influence in a great measure the proceedings within. By order of the committees the tocsin was sounded, and the citizens in every section called to arms; so that the appeal was fairly made to the people of Paris, whether they would support the Republic, or rally under the standard of those who were for a change. Nor was the question long undecided; for as soon as the government acted in its various functions it was obeyed: The lapse of a few hours gave it the preponderance, and the lapse of a few more, not only freed the hall of the convention from the invasion with which it had been seized, but dispersed the croud from its vicinity.

At six in the evening the convention resumed its deliberations; beginning by declaring its sitting permanent, and progressing by a review of the movements of the day, which were well understood and freely discussed. By this time too, it was fortified by accounts from every quarter, that the sense of the city was decisively pronounced in its favor, and against the rioters, and that the inhabitants of those sections, whence the disorder proceeded, were returning to their duty. The sitting continued until six in the morning; in the course whereof a decree of banishment was passed against the accused members, and of arrestation against eight or nine of the mountain party; which latter list was afterwards increased to about eighteen; and both of which decrees have since been carried into effect, by sending the former to the isle of

Oleron, and the latter to the castle of Ham, in the department of Somme; and thus ended the commotion which was so long gathering and which menaced at one time, not to arrest the progress of the revolution (at least such was my opinion) but to occasion much trouble and stain its page with new atrocities.

In the course of this day, the services of General Pichegru, who happened to be in Paris, and was appointed commandant of the national guard, were of great importance to his country. His activity was great, for he was always on horse, and passing from one quarter of the city to another; and his arrangements in disposing of the cannon and military force were wise: His name too was of great utility, for it tended equally to elevate the hopes of the friends, and depress those of the enemies of the public tranquillity. I do not think if he had been absent, the event would have been different; but I am satisfied, that his presence contributed much to hasten the restoration of order, and to preserve it afterwards.

By this event, which is called the complement of the 9th of Thermidor, and which forms the catastrophe of the mountain party, tranquillity appears to be established, not only in this city, but throughout the Republic in general. The scarcity of bread, it is true, still continues, but yet, no murmuring has been since heard on that subject. The moderate party, and which, in principle, I deem the same with that which was overwhelmed on the 31st of May, will therefore commence its career under auspices extremely favourable to its own reputation, and to the liberty and prosperity of France. The fate of its late antagonist, if there was no other motive, and which was precipitated by the general wish of France, and of all other nations, not in league against the French Republic, must furnish a solemn and lasting admonition to shun its example. The opposite principles too, upon which it is founded, being the avowed patron of humanity, justice and law, and equally at variance with the opposite extremes of aristocracy and anarchy, whose partisans were lately combined in an effort to crush it, promises to secure in its measures some stability in the observance of those just and honourable principles which it professes.

For some time past, the views of this party have been directed towards the establishment of the constitution, and some motions to that effect are now depending before select committees appointed to prepare the several organic laws necessary to introduce it. An opinion is likewise entertained by many, that the constitution in question is very defective,

ane ought to be amended before it is put in force. A discourse to this effect was lately delivered by Pellet, a respectable and well informed member, and the same sentiment was then avowed by others. But whether an attempt of this kind, (should it be formally made, will succeed) or whether the general solicitude to put the constitution in force, however defective it may be, in the hope of amending it afterwards, will prevail, is yet uncertain.

Since the fortunate issue of the late commotion, a treaty of peace was concluded with Prussia, at Basle, in Switzerland, of which I inclose you a copy. The import of the fourth and fifth articles, give cause to suspect, that some stipulations exist which have not been communicated, and it is believed by many, that it is agreed between the parties, that France shall retain the Prussian territory on the left of the Rhine, in lieu whereof, she is to take and cede Hanover. Should this be the case, it is probable, if the war continues another campaign, that Prussia will be seen arranged as a party on the side of France. The latter considers the old connection with Austria as broken, and wishes to supply it by one with Prussia; and provided satisfactory arrangements are or shall be hereafter formed for that purpose, will become interested in raising the latter power at the expence of the former, as well as that of England. The negotiation with Spain is also said to be far advanced, and will most probably soon be closed. It is likewise reported, that a person, or more than one from England is now in Paris, upon the pretext of treating for an exchange of prisoners, but in truth, for the more substantial one of treating, or at least of founding the disposition of this government for peace. Upon this point, however, I hope to be able to give you in the course of a few days more correct information than I now can.

From Mr. Jay, to Mr. Monroe,

London, February 19th, 1795.

SIR,

ON the 5th of this month, I had the honor of writing to you a letter in answer to yours of the 17th ultimo, by Mr. Purviance; who is still here waiting for an opportunity to return, and who will be the bearer of that letter.

You will receive this by Colonel Trumbull, who, for some time past has been waiting for an opportunity to go through

Paris to Stutgard, on private business of his own. He desires me the favour to accompany me to this country as my secretary. He has been privy to the negociation of the treaty between the United States and Great Britain, which I have signed; and having copied it, is perfectly acquainted with its contents. He is a gentleman of honor, understanding and accuracy, and able to give you satisfactory information relative to it. I have thought it more adviseable to authorize and request him to give you this information personally, than to send you written extracts from the treaty, which might not be so satisfactory. But he is to give you this information in perfect confidence, that you will not impart it to any person whatever; for as the treaty is not yet ratified, and may not be finally concluded in its present form and tenor, the inconveniences which a premature publication of its contents might produce, can only be obviated by secrecy in the mean time. I think myself justifiable in giving you the information in question, because you are an American minister, and because it may not only be agreeable, but perhaps useful.

From Mr. Benjamin Hitchborn, to the Minister Plenipotentiary of the United States of America.

Paris, March 31st, 1795.

SIR,

IN some free conversation with Colonel Trumbull, on the subject of the late treaty between Great Britain and America, I could not avoid expressing the uneasiness I felt at the disagreeable effects, which had already shewn themselves, and the still more serious consequences which might result from that negociation. And I must confess, I experienced a very agreeable surprize, when he assured me upon his honor, that the treaty had for its object, merely the adjustment of some matters in dispute between the two nations,—that it secured to the Americans some rights in commerce which might have been doubtful by the laws of nations, and by which their intercourse with this country would be facilitated during the war,—that it provided a compensation with those of either nation who had been injured,—and finally settled all controversy respecting the boundary line and the western posts.

He further declared.—That the treaty did not contain any separate or reciprocal guarantee, of any rights, privileges or territory, or an engagement on either part to afford aid or

supplies of any kind to the other, under any circumstances whatever. The treaty, he says, simply declares,—That the parties shall remain at peace, and points out the mode, in which the matters of controversy between them shall be finally settled.

If this information can be of any service to you in your public capacity, you may make use of it in any manner you may think fit. I presume the authenticity of its contents will not be called in question.

I am, &c.

(Signed)

BENJAMIN HICHBORN.

From the Secretary of State of the United States, to Mr. Monroe.

Philadelphia, March 8th, 1795.

SIR,

ON the 15th ultimo, I had the honour of writing to you at large; and on the 20th of the same month, I received your letters of October 16th; November 7th and 20th, 1794.

Being uncertain whether I may not be required at the next moment to close this letter, I shall not undertake to answer your dispatches fully; though I will proceed as far as the hurry of the opportunity will permit.

I have the pleasure to inform you, that the President much approves your attention to our commerce; and the merchants who are immediately interested, and to whom I have communicated your measures, think them judicious.

The temporary appointment of Mr. Skipwith, and his report have been also well received. But the circumstance of his being your secretary; the want of emolument to our consulates, and an ignorance of what you had done, caused a Mr. Pitcairn to be named consul for Paris, pretty early in the late session of the senate. I shall send a general instruction to the consuls to obey the directions of the ministers of the United States. Should such a power be necessary before my general letter reaches them, you may use this as your authority upon the subject.

Your observations as to passports have for some time occurred to me. Those which have been issued from this department lately, have been governed by strict rules; and great reproach and calumny have fallen upon the chief officer, from the mouths of foreign aristocrats, who are a kind of half-

ledged citizens of the United States, by having resided therein a few months.

Your history of the Jacobin Societies, was so appropriate to the present times in our own country, that it was conceived proper to furnish the public with those useful lessons; and extracts were published as from a letter of a gentleman in Paris to his friend in this city.

Last night the treaty with Great Britain arrived. It will remain undivulged by the executive, until the 8th of June next; when the senate will assemble to deliberate on its ratification. I perceive that Mr. Fauchet is very uneasy; but upon what grounds, which are justifiable, I know not. The posts, and the spoliations of commerce will never surely be mentioned, as requiring war instead of negotiation; and if they do require war, we and no other nation are the judges. Our trade may also be regulated by any treaties which we please; and no other government can find cause of offence, unless we derogate from its rights. You are acquainted with the restrictions on Mr. Jay, against the weakening of our engagements with France; and as far as a cursory perusal of the treaty will enable me to speak, I have not discovered any reasonable ground for dissatisfaction in the French Republic. For it cannot be supposed, that the French nation would be displeased that our disputes with other nations should be concluded. But you will not judge from what I say, that my opinion is formed, whether the treaty will or not be ratified. However, your idea as to Denmark and Sweden, though it was always attended to, grows of less importance. I shall not now answer your proposition, or rather intimation, relative to a *certain concert*, until a future opportunity; and after hearing farther from you concerning it. You will have concluded from one of my late letters, that the step is viewed here as a very strong one.

Your observations on our commercial relation to France, and your conduct as to Mr. Guardoqui's letter, prove your judgment and assiduity. Nor are your measures as to Mr. Paine, and the lady of our friend less approved.

Colonel Humphreys is here arranging the affair of Algiers. Be so good as to bring to the earliest issue the points, which you have pressed upon the French Republic; and particularly the *fifteen* thousand dollars, advanced to the people of St. Domingo. You have generally called them fifty thousand by mistake.

My next letter will be devoted to the two important passages in your letters, conveying intelligence of your movements respecting Spain and Great Britain.

The inclosed papers from Mr. Vincent, must be submitted to your discretion, to do with them what may be best and proper. Those of Mr. King relative to the ship Andrew, make a part of the business already in your hands.

Mr. Taylor will prepare for this conveyance, your newspapers, &c.

I am, &c.

EDM. RANDOLPH.

Secretary of State.

P. S. Since writing the above, I have received the inclosed letter of the 7th instant, from Mr. Fitzsimons, which I beg leave to consign to your particular attention.

[No. XV.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, May 17th, 1795.

SIR,

I WAS yesterday honoured with yours of the 8th of March, the only one received since that of the 5th of December, and was at the same moment favored with the company of Mr. Pitcairn, who having just arrived, had called to present his commission of vice-consul for this city, to be recognized as such.

I informed you in my letter of the 6th of March, and for reasons that were in part before explained, that the arrival of this gentleman would subject me to an unpleasant dilemma, for if it was known that he was a British subject, although he had likewise become an American citizen, I doubted much whether he would be received: That in strict propriety I ought to communicate the fact if it was so, for after what had passed between us, upon a subject analogous to this, if I announced him with-holding the fact, and it was discovered afterwards, I should expose myself to the imputation of the want of candour, and that in any event, if he were established, however correctly I might personally act, the circumstance of his being

a British subject, would not only lessen his weight and to the prejudice of our commercial affairs here, but to a certain degree, and from causes that are obvious, lessen mine likewise, the ill effects of which might be felt, and especially at the present moment upon concerns of more general importance. By his arrival, therefore, this embarrassment was realized: The commission of the President is the law to me, and upon every principle it is disagreeable to suspend its force; but yet the nature of the trust reposed in a public minister, seems to imply in him a discretionary power, to controul according to his judgment, incidents of this kind, wherever it appears that thereby he may promote the public interest, and which becomes of course the stronger, when necessary to prevent a public detriment. Upon mature consideration, therefore, I have thought it best to withhold the official communication of his appointment from the government, until I should hear from you in reply to that letter; and the more especially, as it might now be expected in the course of a few weeks. In consequence, I communicated this decision to Mr. Pitcairn, with the motives upon which it was founded, and was pleased to observe, that he appeared to be perfectly satisfied with the propriety of it.

I observe by this letter, that the treaty concluded by Mr. Jay with Great-Britain, did not arrive before the 5th of March, and in consequence would not be submitted to the Senate before the 8th of June, and in the interim would be kept secret. I regret equally this delay and secrecy; the *delay* because if it is not approved, it may become more difficult in the probable course of events on this side the Atlantic, to obtain a remodification of it: and the *secrecy* because the jealousy that was at first imbibed by this government of its contents will of course remain for the same space of time, and which cannot otherwise than be somewhat hurtful in the interim to our affairs depending here. Having too explained the object of that mission, whilst its issue was uncertain, they think it strange that the result should be now withheld. Upon this point, however, I have nothing new to add. I have already communicated to you whatever I had to communicate upon it, and waiting the issue, I shall continue by my assurances to endeavour to inspire this government with a confidence, either that the treaty in question contains in it nothing improper, or that it will not be ratified in case it does.

Your last letter gave me the first intelligence upon which I could rely, that Colonel Humphreys was in America. He will of course return fully possessed of your views with respect

to the piratical powers on the African coast. I assured you long since that it would be easy to obtain from this government its aid upon that point, and it is certain that its aid with each, and especially Algiers, with which regency the republic is in the strictest amity, would be of good effect. Those powers hear that France is at war against Austria, Spain, England, Portugal, &c. and defeats them all, and in consequence conclude that she is more powerful than all united, and respect her accordingly. I have frequently been told in private conversation by the members of the committee, that they were ready to render us all the service in their power in that respect, and I should long since have requested the government to make our peace there in pursuit of the plan commenced by Mr. Morris, had I not been instructed that the business was in the hands of Colonel Humphreys, and feared by such interference I should embarrass the views and measures of our government. I shall be ready however, to act in whatever line you may think proper to direct, and shall endeavour, and without any particular commitment on our part, to keep the committee in the same state of preparation.

In general our commercial affairs progress as well, all things considered, as could be expected. Transactions of old standing, I have not lately formally pressed, because I knew that the government was embarrassed on the score of finance, and because I thought it would be better to wait the issue of the business depending with you in June next. Mr. Skipwith, however, does every thing in his power to forward those objects, and perhaps with as much effect, as would be possible under any pressure that could now be made. But in the direct or current commerce, our countrymen enjoy all the privileges that the government can give them; and though delays are sometimes experienced, and especially in the payment of contracts, that were formed in America, yet the transactions are generally closed in a manner satisfactory to the parties. The profits which some of them have made, and continue to make, according to report, are great, beyond example. In truth our countrymen are gradually planting themselves in commercial houses throughout the Republic, and engaging in the commerce of France to an extent which, whilst it promises to be profitable to themselves, will likewise be of great and permanent utility to both nations: for by means thereof not only personal acquaintance and connections are formed by the citizens of each with those of the other respectively, but their common wants and common capacities will be better understood.

The claim of 15,000 dollars I mentioned long since would be admitted without a word, and that it ought to be so understood at the treasury. I omitted it in my more early applications to this government, because I wished to progress with the greater objects first, and more latterly, for the reasons above suggested. I conferred, however, on the subject with Mr. Adet, and presume he will allow it as a thing of course; but if he does not, upon notification thereof to the committee, and which I will immediately make when so advised by you, he will certainly be instructed to do it.

Since my last, Paris, and the Republic in general, have enjoyed a state of perfect tranquillity. Every little disturbance which ensued for a time the movement of the 2d April (12th Germinal) and there was one or two of the smaller kind which did ensue, subsided almost of itself, and in each instance without force, and of course without bloodshed. Thus the authority of the convention prevails, although it is supported by the common sense, and the common interest of the citizens of Paris only; a thing deemed heretofore impracticable under existing embarrassments. Certain it is, that if the government had been in the hands of a king, or any other description of persons than that of the people themselves, we should have seen in the course of a few weeks past, a succession of many revolutions of the ministerial kind, and which would have perhaps dethroned eventually any king that ever reigned here. The distress of the people on account of the scarcity of bread, since that time, has been like that of a besieged town. They have been constantly upon allowance, and which was latterly reduced to two ounces and sometimes less per day. My family which consists of 14 persons is allowed two pounds of bread per day. I mention this that you may have a just idea of the distress of others, and particularly the poor; for at a great expence (nearly 40 dollars specie per barrel) I am supplied. The accounts which we have of the distress of the aged, the infirm, and even of children are most afflicting; yet calmness and serenity are seen every where; complaints diminish, and that ferocity which was observable on the 12th of Germinal, on the part of those who forcibly entered the convention, and which was excited by the animosity of contending parties, and most probably increased by foreign influence, has entirely disappeared. In this moment they all look to America for bread, and most fervently do I join them in prayer, that our countrymen may speedily bring it to them. If they can make out for six weeks they are safe; for by that time the rye will ripen, and from present prospects they may be in a better situation in the

interim than they now are, and most probably not in a worse.

In the line of negociation, nothing has been concluded since the treaty with Prussia, and which was ratified by both parties soon after it was signed. Sir F. Eden came to Rochefort, from whence he notified his arrival to the committee and requested permission to come to Paris. They had him conducted to Dieppe, where he was kept under guard until the arrival of an agent from the committee, who was instructed to receive and report his propositions to that body, provided they embraced any other object than an exchange of prisoners; but in case they did not, to request his departure in twenty-four hours. The agent attended, asked his business, and was answered, he came to treat for an exchange of prisoners. Have you no other power? Let us settle this point first; we shall be together, and may afterwards talk on what we please. But have you no other power? Your answer to this question may settle this and every other point in a word: If you have I will receive what you will be pleased to communicate; if you have not, our business is at an end. Mr. Eden replied, he had none; and thus they parted, the agent for Paris, and Mr. Eden for London, the latter being apprized what the wish of the committee was in that respect.

It is said that a treaty is lately concluded with the commissioners from Holland, by which the independence of that country is acknowledged, and an alliance offensive and defensive formed, upon terms which promise to be satisfactory to the parties. I will inclose a sketch of these which has been published.

General Pichegru has crossed the Rhine and with a considerable force; but probably at present for the purpose only of quartering his army in the enemies' country. He is now in the neighbourhood of Mayence, which is still besieged. The campaign, however, cannot be considered as fairly opened: Perhaps it is not definitively settled, against whom in the Empire, the forces of the Republic will be directed; for the door which was opened to receive propositions from the princes of the Germanic body, through the king of Prussia, was not an idle provision. Advantage, I am told, has already been taken of it, and that it will most probably prove the means, and to the credit and interest of the king of Prussia, of promoting in the Empire the views of France.

The negociation with Spain is still at a stand. The Spanish court is strongly inclined to connect itself with this Republic; but in so doing it foresees the necessity of an accommodation with us in respect to the boundaries and the Mississippi; and against which it thinks itself secure by adhering to England,

who it is believed gives assurances to that effect. Of the views of England, however, Spain is and always was jealous, so that it is not improbable an accommodation may soon take place. It is said that the king of Spain makes a provision for the children of the late king, the object of his care: That he wishes to have them delivered up to him, with the view of giving them an establishment in property somewhere in his dominions, with the title of duke to the boy, and that this point in some form or other will probably be agreed.

At sea, in the excursions which were made in the course of the winter, by tempest great loss was sustained, and considering that the war will hereafter be directed principally against England, less attention was for some time paid to the navy than ought to have been expected. At present, however, the attention of the executive branch seems to be turned more towards that object than heretofore; so that it is probable the waste of the winter will soon be repaired.

The assignats continue to depreciate, and the frequent discussions which take place upon the various propositions made to raise their credit, always produce the opposite effect of depressing them. Many think, however, the depreciation a blessing to the country, and that their total fall would be among the happiest of political events; especially if they can be kept up through the summer. At present their depreciation is by the standard of gold, or foreign exchange, as fourteen to one.

The mass of wealth in national domains, is affirmed by those who ought to know, more than double what I supposed; being, after restoring the property of those who were illegally condemned, according to a late decree, about four hundred millions sterling. A deputation was lately sent to Holland, of Sieyes and Reubell, to press for money, and it is expected they will succeed, at least in such degree as to answer present exigencies.

I am happy to hear that the President approves my conduct in the instance mentioned, and I beg you to assure him that for the future I shall continue to be neither less attentive nor assiduous in the discharge of the duties of the trust reposed in me, to all its objects, than I have heretofore been.

P. S. Since writing the above, I was informed personally by one of the agents who attended Mr. Eden at Dieppe (for there were two) that he (Mr. Eden) had power to treat on other subjects than that of an exchange of prisoners, and that he not only communicated this, but likewise his propositions,

and which were sent to the committee and peremptorily rejected. That the treatment given Mr. Eden, was polite and respectful, and with which he appeared to be perfectly satisfied. What the propositions were I know not; but that they contemplated peace cannot be doubted.

From the Secretary of State of the United States, to Mr. Monroe.

Philadelphia, February 15th, 1795.

DEAR SIR,

THE last date, which I have received from you is of the 15th of September, 1794, and it has been duly acknowledged by duplicates. It occasioned no small anxiety as to the issue of many points, which you had brought before the French republic. That anxiety has been considerably increased, by observing in the newspaper a decree, rescinding the stipulation between the United States and France, making goods free, which are found in free ships. It has appeared only in a translation; and there is ambiguity enough in its present dress to lead us to hope, that the treaty, having been declared at the beginning of the decree to be in full force, may possibly be an exception still to the general provision for condemning hostile property in neutral bottoms.

We do not doubt, that we should have obtained the most ample explanation of this and every other of our relations to France, had not the advice-boat, which was lately dispatched from thence, been captured by a British frigate.

Acceptable as Mr. Fauchet has hitherto been, we read with great sensibility, that Mr. Oudard formerly, and Mr. Adet recently, have been appointed in his place. If this should be true, and Mr. Fauchet is, as we suppose, uncontaminated towards the French interest, it is rather an unpleasant circumstance, that upon a change of party, we are to expect a change of minister. However, the only thing which essentially concerns us, is, that the representative of the French republic in the United States, should lay aside all intrigue, and imitate ourselves in a course of plain and fair dealing.

We confide, that you have lost no opportunity of fixing the friendship of the two countries upon solid grounds. On our part we really do all that we can; and as one instance, I will mention the legislative act, which has, within these few weeks, enabled Mr. Fauchet to use, by anticipation, the instalments of the French debt, due in September and November next,

amounting to two millions and an half of livres. But I am afraid, that Mr. Fauchet, and probably the French nation, have been urged to believe, that the treaty, *said* to have been concluded by Mr. Jay with Great Britain, interferes with our engagements and attachments to France. It has not come to hand yet, and therefore I can deliver no decided opinion on it. But so far is this from any instruction to Mr. Jay, that I am persuaded he could not think of a treaty, having such an object. In the principal heads of the negociation; the surrender of the posts, the vexations and spoliations of our commerce, and the payment of British debts, France can have no possible concern. If we choose to modify them ever so capriciously, we are the true and only arbiters of the question. It is probable, indeed, that our commercial intercourse has been also regulated. Say, if you please, that a treaty has been concluded for commerce also; France will enjoy all the advantages of the most favoured nation; and we have been long ready to discuss and settle new commercial arrangements with France; but none have been ever proposed during my connection with the administration. It may well be supposed, that the access to the West Indies, with as few restrictions as possible, must be desirable to us. But let the possession of them ultimately center in France or England, we shall, I presume, be unfettered by our contracts with the one, so as to be at perfect liberty to contract with the other.

I shall give you no comments upon the proceedings of congress, until they rise, which will be in a fortnight hence. At present you will receive by the French ship, which Mr. Fauchet dispatches, your quota of newspapers.

The conduct of Spain towards us is unaccountable and injurious. Mr. Pinckney is by this time gone over to Madrid, as our envoy extraordinary, to bring matters to a conclusion some way or other. But you will seize any favorable moment to execute what has been intrusted to you, respecting the Mississippi.

Colonel Humphreys, our minister for Lisbon, being disappointed in the loan, which was to be opened for the relief of our captive brethren in Algiers, has come over to press the subject. He will return, in a few days, full handed; and although we have heard nothing of late concerning the friendly interposition of France with the Dey, we beg that the influence of our ally may be exerted in this great cause of humanity.

I am, &c.

EDM. RANDOLPH,

Secretary of State.

From the Secretary of State of the United States, to Mr. Monroe.

Philadelphia, April 7th, 1795.

SIR,

My last letter of March 8th, 1795, has been forwarded to you by duplicates. It will have anticipated the subject of your private letter of December 18th, 1795; though it is by no means so extensive as one, which I should have concluded before this time, but for a constant round of interruptions, which I have not yet been able to repel. I am resolved, however, to seclude myself from all, except the most indispensable business, that I may devote my attention to such a review of our relation to France, as may ascertain the fact, which is so firmly impressed upon me, that we have behaved to her fairly and honorably. For the present I shall say no more respecting the source of discontent, the treaty made by Mr. Jay, than this: That, as far as I have any definite ideas of treaties offensive and defensive, there is no ground for charging that treaty, as being offensive or defensive; that the obligation of all prior treaties is *expressly* saved; that France, from the circumstance of being the most favored nation, immediately inherits, upon equal terms, the concessions, indulgences, or conditions made to other nations; and that the confining of its contents to the President and the Secretary of State, is not, from any thing sinister towards France; but from the usages in such cases;—not from an unwillingness that the executive conduct should be canvassed; but from a certain fitness and expectation, arising from such a diplomatic act.

The dispatches, which you are understood to have intrusted to Mr. Smith of this city, not having yet arrived, our anxiety continues, to learn the issue of *the concert*, which you have suggested. You will have been informed by my letter of the 8th ultimo, that “*the step is viewed here, as a very strong one;*” and notwithstanding the rapid successes, which have attended the arms of our ally, we steadily direct our course to the character of neutrality, which we profess, and therefore the more it is examined, the stronger it appears. You will hear from me shortly, in a more particular manner concerning it, and the style, which in our negotiations at Paris ought, in our judgment, to be observed. But I must be permitted to remark, that the *invariable* policy of the President, is, to be as independent as *possible*, of every nation upon earth; and this policy is not assumed now for the first time, when perhaps it may be insidiously preached by some, who lean to Great Bri-

tain, to prevent a tendency to France; but it is wise at all times, and, if steadily pursued, will protect our country from the effects of commotion in Europe. France is, at this day, in the eye of the President, as she has always been, cordially embraced; and no event could be more afflicting to him, than a suspicion of the purity of our motives in regard to that republic. But without a steady adherence to *principles*, no government can defend itself against the animadversions of the world, nor procure a permanent benefit to its own citizens.

Cases of spoliation and injury, according to the list subjoined, will accompany this letter; as subjects, to which your attention and zeal are requested.

The prints, which have not been hitherto sent, are also prepared by Mr. Taylor.

Until a few days hence, I must beg you to accept this letter, as the forerunner only of a more copious one, upon our affairs in France.

I am, &c.

EDM. RANDOLPH,

Secretary of State.

From the Minister Plenipotentiary of the United States of America, to the Committee of Public Safety.

Paris, May 22nd, 1795.

I HAVE to notify the committee of public safety, that Mr. Pinckney, minister plenipotentiary of the United States at London, and envoy extraordinary to the court of Spain, is now in Paris, on his way to Madrid, upon a particular mission from the United States to that court. He intends to pursue his journey by land, and wishes the passport of the committee, to secure him that safety and protection which is due to the minister of their ally, whilst within the jurisdiction of the French Republic. Mr. Pinckney will be happy to bear any commands which the committee may have for the quarter to which he is going.

From the Commissary of Foreign Relations, to the Minister Plenipotentiary of the United States of America.

Paris, 12th, Prairial 3d Year of the Republic.

(May 31st, 1795.)

SIR,

You will find enclosed the passport which you delivered to Mr. Thomas Pinckney. It is certified by the committee of public safety this day. I hasten to transmit it to you, repeating the assurances of my entire devotion.

No. XVI.

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, June 14th, 1795.

SIR,

IT seemed probable, after the movement of the 12th Germinal (2nd of April) and which terminated in the banishment or rather deportation (for the hand of government was never withdrawn from them) of Barrere, Billaud de Varennes and Collot d'Herbois, and the arrestation of several of the leading members in the mountain party, that the convention would be left at liberty to pursue for the future the great object of the revolution, and without further molestation; and the calm which ensued, for a considerable time, that movement, although the scarcity of bread continued, gave strength to this presumption. But a late event has shewn that the victory which was gained upon that occasion by the convention, over the enemies of the present system, was not so decisive as there was reason to presume it would be; for within a few days after my last, which was of the 17th of May, another attempt was made upon that body, and which menaced for a while at least, in respect to the personal safety of the members, the most alarming consequences. I am happy, however, to be able now to assure you, that this has likewise passed, and without producing, according to present prospects, and in regard to the main course of the revolution, any material effect.

The circumstances which characterize this latter movement were in general the same with those of that which preceded it; except that it was attended with greater violence and its views were more completely unfolded. On the 20th of May, a party from the Faubourgs of St. Antoine and St. Marceau, armed, and consisting of some thousands, approached the convention early in the morning, having previously circulated a paper that their object was a redress of grievances; of which the scarcity of bread was the principal, and which could only be accomplished by the establishment of the constitution of 1793, and the recall of Barrere and his colleagues; or, in other words, the revival of the reign of terror. As these measures could not be carried into immediate effect, without the overthrow of the preponderating party, so the movement appeared to be directed unequivocally to that object. The centinels of the convention were forced upon the first approach, and in an instant the party, preceded by a legion of women, entered and spread itself throughout the hall of that assembly. The sitting was broken and every thing in the utmost confusion. In a contest which took place between Ferraud, one of the deputies, a gallant and estimable young man, and some of the party, for the protection of the chair and person of the President, which were threatened with violation,—the former was slain, and soon afterwards his head, severed from his body, was borne on a pike by the perpetrators of this atrocious crime, in triumph, into the bosom of the convention itself. It really seemed for some time, as if that body, or at least the leading members in the preponderating party, were doomed to destruction, or safety to be secured only by disguise and flight. During this conflict, however, the whole assembly behaved with the utmost magnanimity: No symptoms of fear were betrayed: No disposition to yield or otherwise dishonor the great theatre on which they stood; and Boissy d'Anglas, who happened to preside, not only kept his seat, but observed in his deportment a calmness and composure which became the dignified and important station which he filled. This state of confusion lasted until about twelve at night; when it was terminated by the decisive effort of a body gathered from the neighbouring sections, planned by the united committees of public safety, sureté generale and militaire, and led on by several deputies, among whom were most distinguished, Kervelegan, Anguis, Mathieu, Delmas, Freron and Legendre. They entered precipitately the hall, attacked the intruders, sabre and bayonet in hand; nor did they cease the charge until they had rescued it from the profanation. A little after

twelve the convention was re-established, and proceeded, as upon the former occasion, to a review of what had passed, in the course of the day.

Whilst the insurgents were in possession of the reins of government, and after Boissy d'Anglas had retired, they placed the President Vernier,* in the chair by force, and began an organization upon the principles that were first avowed.

They repealed in a mass all the laws that were passed since the 9th Thermidor: Recalled Barrere, Billaud de Varennes and Collot d'Herbois; took possession of the tocsin and the telegraph; ordered the barriers of the city to be closed, and were upon the point of arresting all the members of the committees of the executive branch, having appointed a commission of four deputies, to take their places and with full power to act in their stead; so that in truth the reign of terror was nearly revived, and with accumulated force. At this moment, however, the plan of the committees, who had continued their sitting, was ripe for execution and fortunately the stroke was given before the system was completed.

But the commotion was not ended by the expulsion of the insurgents, from the hall of the Convention itself. They retreated back to the faubourgs to which they belonged, and where, for a while, they opposed its authority. In the course, however, of the succeeding day, a considerable force was collected, under the authority of the Convention, from those sections who voluntarily offered their service, amounting, perhaps, to fifteen thousand; and which being marched against them in different directions, surrounding, in some measure, both faubourgs, reduced them immediately to order, and without the effusion of blood.

On the same day an insurrection took place at Toulon of the same kind, and with the same views, and which for several days wrested that port and its dependencies, the fleet excepted, from the authority of the government. Upon that theatre too, some outrages were committed, and fatal consequences in other respects were apprehended. But this was likewise lately suppressed by the efforts of good citizens, drawn by the representatives in mission there, from Marseilles and the neighbouring country; a report to that effect being yesterday presented to the convention by the committee of public safety: So that order may be considered as completely established, the authority of the convention being triumphant every where.

* This is a mistake: Vernier relieved Boissy d'Anglas upon his own pressing solicitation; it appearing that Boissy d'Anglas was exhausted.

As soon as the Convention resumed its deliberations, the punishment of those who had offended in the course of the commotion was the first object which engaged its attention. Whilst the insurgents were in possession of the hall, and enacting their short but comprehensive code of legislation, several members of the mountain party not only retained their seats, but joined in the work. Four were appointed to the commission, which was designed to supersede the executive administration, and who accepted the trust. These circumstances, with many others which occurred, created a belief that the movement was in harmony with that party. It was therefore concluded, that more decisive measures ought to be taken with those members, and with the party generally, than had been heretofore adopted; and in consequence, about thirty of them were arrested on that and the succeeding days, within the course of a week, and who are to be tried according to a late decree, in common with others charged with offences, said to be committed in the course of the commotion,—by a military commission appointed at the time, and invested with full power for that purpose.

It is to be observed, that the character of this movement was decisively anti-monarchical. Its success, if it had succeeded, would have revived the reign of terror, and most probably carried all the aristocrats, with the leading members of the preponderating party, to the scaffold. *Bread and the Constitution of 1793*, were written upon the hats of many of the insurgents; and whilst the hall and its vicinity resounded in favor of the patriots, meaning Barrere, &c. the feeble voice of one aristocrat only was heard in favor of the constitution of 1789. Indeed the aristocrats, who had before the 12th Germinal contributed much to foment the discontents which broke out on that day, in the hope that if a commotion took place and the Convention was overthrown, the standard of royalty would be erected, and the monarchy re-established,—and who were in the interval, from the dubious character of that movement, which was crushed before it had fully unfolded itself, of neither side, for nor against the Convention,—were observed in the commencement of this, to remain in the same state of inactivity, greatly agitated, but taking no part. As soon, however, as the object of this latter movement was understood, and it became obvious, that in case it succeeded, terrorism, and not royalty, would be re-established, the disposition of this party towards the Convention changed. It no longer shewed an indifference to its welfare; on the contrary, it became active in its support. But in truth, the force of this

party in this city, and especially upon the late emergencies, did not appear great. The most gallant of its members are either upon the frontiers, at war against the republic, or have fallen already in the cause of royalty. These, too, consist of those who were of sufficient age to take their part in the commencement; for the young men of Paris, who are descended from it, or from others of the more wealthy inhabitants of the city, and who have attained their maturity during the revolution, or are now growing up, have imbibed the spirit which it was natural to expect such splendid examples of patriotism would create upon young and generous minds, and are in general on the side of the revolution.

That there should be a party of any force within the republic, or rather of sufficient force to disturb the government in the manner you have seen, disposed to subvert the present system, and establish that of terror, must excite your surprise. You will naturally be inclined to ask of what character of citizens is it composed; what their numbers and ultimate views; since it is to be presumed that a system of terror, as a permanent system of government, cannot be wished by any one? You have seen that the movements in question proceeded principally from the two faubourgs of St. Antoine and St. Marceau; the enquiry, therefore, will be satisfied by exposing the character of those two sections. In general, I am told, they are artisans, and among the most industrious in Paris. Many of them are said to be foreigners, Germans, and which explains the motive of their partiality for the constitution of 1793, which naturalizes them. That they are opposed to monarchy is certain, for such has been their character from the epoch of the destruction of the Bastille, in which they had a principal hand, to the present time. Indeed, upon this point, the late movements speak with peculiar force; for if those movements were spontaneous, and commenced by the people themselves, it follows, as they cannot be suspected of any deep political finesse, and of aiming at royalty through the medium of terrorism, that the latter, and not the former, was the object. And if they were set on by foreign influence, as is believed by many, the conclusion must be the same; for as royalty is unquestionably the object of those persons who are suspected of such interference, it is to be presumed, that, if practicable, they would have taken a more direct course to promote it, by an immediate declaration in its favor, since thereby they would rally under its standard all those who were the friends of that system: Whereas, by declaring for terror-

ism, the opposite effect was produced; for the royalists themselves were thereby driven into the expedient of using their utmost endeavours to save the Convention, as the only means whereby they could save themselves. In every view, therefore, they must be deemed enemies to royalty, and as such it is natural to expect they will feel a great sensibility upon all those questions, which, in their judgment, have a tendency to promote it. Whether any such have been agitated or contemplated is, perhaps, doubtful: I have thought otherwise, and still think so. But, that many circumstances have presented themselves, in the course of the collision of parties, that were sufficient to create a suspicion with persons of that portion of discernment, which laborious artizans usually possess, that the leading members of the preponderating party were prepared to abandon the republican scale, and incline towards monarchy, is certain. The inhabitants of these faubourgs having sided always with the mountain party have, of course, brought upon themselves the particular enmity of the royalists. They have, therefore, or rather their leaders have been, in their turn, persecuted by the royalists. But they have likewise thought themselves persecuted by the present preponderating party, with whom they were engaged in uninterrupted warfare, before and since the time of Robespierre. In this respect, therefore, they saw the present preponderating party and the royalists acting apparently in harmony together, and concluded that the former were likewise royalists. They have likewise seen, under the administration of this party, the royalists enlarged from prison, and other measures of that kind adopted, which have probably fortified them in this belief. A report, too, which has been circulated through the city, that, under the name of organic laws, it is contemplated by the committee of eleven, to introduce some important changes in the constitution of 1793, has, no doubt, tended in a great measure to increase their disquietude. In an attempt to explain the cause of these movements, the above circumstances have appeared to me to merit attention, and, with that view, I have presented them.

But that there was no real harmony of political views between the present preponderating party and the royalists, even with respect to the terrorists, is a fact of which I have no doubt. The reign of terror continued until it could last no longer: It was necessary to suppress it, and it was suppressed. That the royalists wished this event, and gave it all the aid they could, is certain; but that their efforts were of any service in that respect is doubtful: Indeed, I was persuaded that for some time

they produced an opposite effect, and for reasons that are obvious: For as the preponderating party sought the establishment of the Republic, and knew that the mountain party had the same object in view, it was reasonable to expect, that after the former had gained the ascendancy it would be disposed to exercise towards the latter some degree of moderation and humanity; and equally so to presume, that the same spirit of magnanimity which inculcated this disposition towards its antagonist, and chiefly from a respect for its political principles, would dispose it to reject with disdain the aid of the royalists who were enemies to both. This sentiment is to be traced through all the measures of the convention, from the 9th Thermidor to the 1st Prairial; for we behold, through that interval, the preponderating party rescuing from the guillotine and prison, the royalists, whilst they reprobated their principles; and terminating in other respects the reign of terror; whilst they avoided, as far as possible, the punishment of those who had been the principal authors and agents under that reign. Indeed this party has appeared to me to be, and so I have often represented it to you, as equally the enemy of the opposite extremes of royalty and anarchy; as resting upon the interest and the wishes of the great mass of the French people, and who I have concluded, and from those data the revolution itself has furnished, as well as from my own observations since my arrival (the latter of which, it is true, has been confined to a small circle) are desirous of a free republican government; one which should be so organized as to guard them against the pernicious consequences that always attend a degeneracy into either of these extremes.

You will likewise ask; what effect have these movements had upon the public mind, in regard to the present system? Is it not probable they have already wearied the people out, and in consequence inclined them to royalty merely from a desire of repose? That they are all wearied is most certain, and what may be the course of events, in the progress of time, I do not pretend to determine: These lie beyond my reach, and indeed beyond the reach of all men. I only undertake to deduce immediate consequences from the facts which I witness; and when I see that these movements have produced upon the royalists themselves the opposite effect, and forced them, at least for the present, to renounce their creed and cling to the convention for their safety, I cannot presume that the moderatists, who are republicans, will quit the safe ground on which they rest, their own ground too, and

become royalists. Royalty, therefore, I consider at present as altogether out of the question. But that these convulsive shocks, and which proceed from the opposite extreme, may produce some effect, is probable. In my opinion they will produce a good one; for I am persuaded they will occasion, and upon the report of the committee of eleven, some very important changes in the constitution of 1793; such as a division of the legislature into two branches, with an organization of the executive and judiciary upon more independent principles than that constitution admits of: Upon those principles indeed which exist in the American constitutions, and are well understood there. Should this be the case, the republican system will have a fair experiment here; and that it may be the case, must be the wish of all those who are the friends of humanity every where.

On the day that this late commotion commenced, Mr. Pinckney arrived here on his way to Madrid, and was a spectator of the great scene it exhibited to the close: A few days after which he pursued his route, by the way of Bourdeaux, where before this he is probably arrived. Whilst here, I presented to his view what had passed between this government and myself, upon the subject of his mission, assuring him from what I had heard and seen, that I was of opinion, in case he would explain himself to the committee on that subject, and express a wish,—they would give what aid they conveniently could, in support of his negotiation; satisfying them, at the same time, that they were not injured by Mr. Jay's treaty, they would do it. I likewise shewed him a letter I had just received from Mr. Short, written at the instance of the Duke de la Alcudia; to request that I would promote, by certain communications to this government, a negotiation between Spain and this Republic; he having previously and positively informed Mr. Short, that our demands should be yielded and adjusted at the same time. Mr. Pinckney was sensible of the benefit which the aid of this Republic could yield in his negotiation, and wished it; but, upon mature consideration, was of opinion he could not request such aid without having previously exposed to its view Mr. Jay's treaty, and which he did not chuse to do, for considerations delicacy forbade me to enquire into. It was, however, equally his and my wish, that his journey through the country should be marked with all those circumstances of reciprocal civility between the government and himself, which are always due, and generally paid, when the minister of a friendly power passes through the territory of another; and in consequence I announced his

arrival to the committee, and obtained for him an amicable interview with the members of its diplomatic section, and by whom he was received with the most respectful attention.

You have already seen that England and Spain are each, and without the knowledge of the other, seeking a separate peace with this republic. What the motive for such secrecy on the part of the former is remains to be hereafter unfolded: But what it is on the part of the latter is easily understood; for, as she apprehends, in case a peace is made with France, a declaration of war from England, and, of course, in case the attempt to obtain a peace is known, some new pressure from that power,—it follows, that she must wish the arrangement to be complete, to guard her against the ill consequences which might otherwise attend such an event, before any thing upon that head transpires. As soon, however, as it is known to Spain, that England seeks a separate peace, her jealousy of the views of England will be increased; as, likewise, will be the motive for an immediate accommodation with this Republic. The period, therefore, when a good understanding, embracing, perhaps, the ancient connection between the two nations, will be revived cannot be considered as remote. Whether our claims upon Spain will be attended to, under existing circumstances, in that adjustment, is a point upon which it is impossible for me to determine: for, as I was not possessed of Mr. Jay's treaty, and could give no other information on that head, than I had before given, I have latterly forbore all further communication with the committee upon that subject. Mr. Pinckney will be able, soon after his arrival at Madrid, to ascertain the temper of the Spanish court in regard to our demands, and the means by which his negotiation may be forwarded; and, as he likewise knows the state of things here, he will be able also to point out the line in which, if in any, I may be serviceable; and, in the interim, I shall not only be prepared to co-operate with him in whatever movement he may suggest; but to obey, with promptitude, any instructions you may be pleased to give me in this, or any other, respect.

Since my last, the treaty with the United Provinces has been concluded and ratified, and the garrison of Luxemburg, consisting of 12,000 men, with an immense amount in military stores, cannon, &c. has surrendered. The achievement of this post, one of the strongest in Europe, has opened the campaign on the part of France with great brilliancy: As it was taken, too, after a long siege, and when all possible efforts to raise it had proved abortive, it not only demonstrates the

superiority of the French arms in the present stage of the war, but furnishes satisfactory ground whereon to calculate, according to the ordinary course of events, its ultimate issue.

You will, perhaps, have heard before this, that the British have recommenced the seizure of our vessels laden with provisions, destined for the ports of this republic. An American, just from Hamburg, charged with other articles, informed me the other day, that he was boarded on his way by two frigates, whose officers informed him, they were ordered to take in all vessels thus laden.

Within a few days past, the son of the late king departed this life. A minute report will be published by the government of his decline, having lingered for some time past, and of the care that was taken to preserve him. They are aware of the criticisms to which this event may expose them, and suffer, on that account, an additional mortification. His concession to Spain, as was contemplated, made his life, with the government, an object of interest; since it would have forwarded, in some respects, its views in the depending negotiation.

I have just been honored with yours of April 7th, and shall pay due attention to its contents.

P. S. I am sorry to inform you of the death of Mr. Coffyn, consul for the port of Dunkirk. His loss is to be regretted, as he was able, diligent and faithful in the discharge of the duties of his office. His son is very desirous of succeeding him, and certainly if any one, not an American, is appointed, it will be impossible to find for it a more suitable person. In my opinion, however, Americans only should be appointed. In any event, I think the merits of the father, who was distinguished for his services and attachment to our country, entitle his memory to some attention, and doubt not your letter of acknowledgment, addressed to his son on that head, through me, will be gratefully received.

[No. XVII.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, June 26th, 1795.

SIR,

SINCE my last, it is reduced to a certainty, that the British government has revived its order of the 6th November,

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1793, and commenced, on this side the Atlantic, the same system of warfare and pillage upon our commerce, that was practised on it by that government, at that very calamitous era. Between thirty and forty sail destined for the ports of this Republic, charged with provisions, have been already taken from their destination, and carried into those of that island: and, as the period has arrived, when the invitation which the distresses of this country gave to our merchants *here* and at *home*, to embark their fortunes in this supply, is likely to produce its effect, it is more than probable that other vessels, and to a great amount, will share the like fate. Among those of our merchants who are here, this measure has created a kind of panic; for they think they see in its consequences little less than the ruin of their trade; and under which impression many are about to abandon it for the present, and send their vessels home in ballast.

What effect this measure will produce upon this government, under existing circumstances, I cannot pretend to determine. Formerly it adopted the same measure, for the purpose of counteracting its enemy; but the impolicy of that procedure was afterwards discussed and demonstrated, and the measure itself, in consequence, abandoned. At present, the distress of the country is great, and the government will, no doubt, be mortified to find, that, whilst our flag gives no protection to *its* goods, nor even to *our* goods, destined for the ports of this Republic, the whole of which become the spoil of its enemy; that it does protect not only *our* goods destined for the English ports, but likewise British goods destined equally for those, and the ports of other countries. The measure has obviously excited a kind of ferment in their councils; but which, I presume, will be directed against their enemies only. Be assured I shall do every thing in my power to give it that direction, and to enforce those arguments which were used upon the former occasion: But, should they fail in producing the desired effect, and a less amicable policy be adopted, which, however, I think will not be the case, I shall deem it my duty immediately to advise you of it, by a vessel (in case none other offers) to be despatched for the purpose.

It will obviously attract your attention, that this measure was so timed by the British cabinet, that it might have no influence in the decision of the senate upon the treaty of Mr. Jay; nor can the motive for such an accommodation be less doubtful; for, in case it be rejected, they will deem the stroke a lucky one; since thereby, they will say, they had fortunately gained so much time; and if it be adopted, they will probably pre-

same, that so much time will be consumed in convening the Congress, should that measure be deemed expedient, that the course of events here may render it impossible for our efforts to produce a favourable effect; and which consideration, they will likewise infer, will be an argument against convening the Congress. This kind of policy, however, shews not only the profligacy, but the desperation of the government, and will probably precipitate the crisis, which, notwithstanding all its follies and enormities, might yet have been postponed for some time to come. I think the measure will give new vigor to the French councils, and will probably bring immediately upon its authors, Denmark and Sweden: Upon this latter point, however, I am authorized to say nothing; for, as I was not instructed to confer with the representatives of those powers here, I have carefully avoided several conferences, that were sought of me by Baron Stael from Sweden, soon after his arrival; because I knew nothing could result from them, and was fearful, as I presumed the result would be known to the committee, it might produce an ill effect there.

Your measures will, no doubt, be greatly influenced by the probability of the early termination or continuation of the war with this Republic, and upon which some information will of course be expected from me. You will, however, perceive the disadvantage under which I must give any opinion upon that point, and estimate it accordingly; for as I am authorized to say nothing to this government of what you will probably do, in case the war continues (for the revival of the order of the 6th November could not be foreseen) you will of course conclude it is impossible for me to sound it upon that topic. Indeed I was fearful that, by my communications upon a former occasion, slight and informal as they were, I might embarrass you, and was therefore extremely uneasy on that account, after I heard of Mr. Jay's treaty, and until I had a conference with the committee on the subject. My judgment must, therefore, be formed upon general and external circumstances, and by which I perceive no prospect of an early accommodation of the war between France and England. On the contrary, the preparations on both sides seem to go on with all possible activity, for its continuance. The fleet of England is said to be raised to a height beyond what it ever attained before, and efforts are still making to keep it there, if not to encrease it: And France is exerting her utmost endeavours to increase hers, and which are the more necessary, in consequence of the improvident excursions of the last winter, by which it was greatly injured in the Atlan-

tic, as well as the Mediterranean seas. 'Tis expected, that by a continuance of those endeavors, the Brest fleet will be ready to take the sea by the fall: The Mediterranean one, is said now to be at sea, and in good order. It is likewise expected that the Dutch fleet, at least to the amount stipulated, will be in readiness in time to co-operate with that from Brest; for great efforts were latterly made, and are still making, by that government, to equip it. Add to these the fact (and I am assured by unquestionable authority that it is one) that the overtures made by Sir Frederic Eden were repulsed, and in a manner which immediately closed, under the powers possessed by the parties respectively, all further conference on the subject. From consideration, therefore, of these circumstances, I am led to conclude that the war between these powers will be continued for some time to come, and most probably until some change, by battle or otherwise, is wrought in the fortunes of one or both, so as to dispose them for peace.

If Denmark and Sweden, and especially if they are joined by Spain, unite with France and Holland, they will probably have the preponderance and must bear hard upon England. In any event, the enormous expense to which she is unprofitably exposed, if continued for any time, must not only exhaust her resources, but excite great discontents among the people. They have been allayed latterly, by the assurances of the minister, that the people of France would be starved, and that the government must in consequence accommodate, and which were countenanced by the movements which took place here some time after those assurances were given. But when it is seen that the crisis is passed, and that the people after bearing unexampled distress, and upon the whole with unexampled patience, are quiet and in the possession of the fruits of a plentiful harvest, as promises soon to be the case,—it is doubtful whether a change will not soon take place in the temper of those on the other side of the channel.

What part it becomes our country to take at this crisis, belongs not to me to say. Peace is a blessing which ought not to be wantonly thrown away. But whether sufficient sacrifices have not been already made to preserve it, and the time arrived, when the duty we owe to ourselves, and the respect which is due to the opinion of the world, admonish us that the insults and injuries of Britain are to be no longer borne, and that we ought to seek redress by again appealing to arms, and putting the issue of our cause upon the event of war,—is a point which will no doubt be wisely decided by those who have a right to decide it. Permit me, however, to express a

wish, that in case any active measure is taken, or likely to be taken, in consequence of these aggressions, that you will immediately apprise me of it; that I may, without delay, begin to make a correspondent impression upon the councils of this government.

I omitted in my last to transmit to you a copy of the letter from Mr. Short, which I mentioned was shewn to Mr. Pinckney; and which, as it demonstrates how completely we may command success in our demands upon Spain, provided France aids us in that respect, ought not to be withheld, and especially in the present state of our affairs. I make the communication with greater pleasure; because at the same time that it furnishes a document of importance for you to possess, it will reflect honor on Mr. Short, upon account of the able and comprehensive view he has taken of the subject.

I have the pleasure to inform you, that the committee of eleven have at length reported a plan of government, of which I herewith inclose you a copy. The discussion upon the merits will commence in a few days, and as soon as the question is finally decided I will transmit to you the result.

From Mr. Short, to Mr. Monroe.

Aranjuez, May 4th, 1795.

DEAR SIR,

I SHOULD have waited for your answer to my late letters, and particularly that of the 11th of April, before writing to you again, if it had not been for the particular circumstance which makes the subject of this. I have already mentioned to you the desire of this government to open the way to a pacification with the French commonwealth, and also my persuasion that some kind of negotiation, although perhaps an unofficial one, was on foot. I am confirmed in that opinion, and you may consider as certain, that overtures have passed between one of the persons here to whom you sent me a letter inclosed in yours of the 6th of February last, and the person by whom those letters were written.—I have good reason to believe that this business has met with some kind of delay as to the articles of pacification,—or at least, that it is conceived here there would be some delay when these articles should come to be discussed.—You will readily conceive from the situation of this country in respect to England, that they would be afraid to enter openly on negotiation without being previous-

ly sure of its success, lest they should find themselves between two fires.—The apprehension of England has certainly retained them lately, and not any aversion to peace with the French commonwealth; which, on the contrary, they desire most sincerely and ardently.—Under these circumstances the friendly interference of the United States has been wished for by this government. I have already explained to you the difficulties which presented themselves to me, from the points in litigation between the United States and this country having not been yet settled, and from the circumstances of Mr. Pinckney's appointment for that purpose rendering it necessary that they should be delayed for his arrival here.—Although I have the fullest assurances from this government, that all matters shall be settled to the satisfaction of the United States; and although present circumstances insure whatever the United States may now desire here; yet under my circumstances I should have chosen not taking an active interference, until I should have conferred with Mr. Pinckney, and he with this government. For a long time I had no doubt Mr. Pinckney would have been here long ere this. I suppose he must be, at present, somewhere in France on his way hither; but I have received no letter from him since that of the 6th of March. Things would have probably gone on in this way until his arrival, viz. this government contenting themselves with the *pourparlers* on foot between the two persons mentioned above, and perhaps also between the generals of the two armies, if nothing had occurred to make them more anxious to accelerate the business. But this has taken place in consequence of the treaty concluded between the French commonwealth and the king of Prussia.

The duke de la Alcudia has now mentioned to me his desire that no further time should be lost, and that an active negotiation should be immediately opened; declaring to me confidentially and authorizing me to mention to you, his real and sincere wish to conclude immediately a treaty with the French commonwealth; desiring, however, that it may be so conducted, that there should be no suspicion of it on the part of England, or the least possible ground for suspicion, until the conclusion and ratification of the treaty. He has, therefore, requested me to communicate this to the Minister of the United States at Paris, and to add his desire to receive here, for the purpose of concluding such a treaty, any person whom the French government might send for that purpose, and remain here in a secret way, until the business should be concluded and ratified. The desire of secrecy as you will ob-

serve, proceeds from the apprehension of England.—This he wishes you to propose to the French government, if you find it will be acceptable to them. This is the nature of his request to me, and which I have not thought it proper, for several reasons, to decline. Several of these reasons will naturally present themselves to you.

Having thus stated the request of the duke in the simplest form, it is for you to decide thereon what you may think advisable to do; and in which you will, of course, be guided by what you conceive to be for the interest of the United States, and conformable to the wishes of the government where you reside; whose interests are co-incident with those of the United States.

It may not be improper to subjoin here some incidental remarks which took place between the minister here and myself, on the above occasion. In stating to me his wish that this business should be concluded as soon as possible, he observed, that if he had a person of confidence at Paris, he would give him the conditions on which the king wished this treaty to be grounded;—but that he had no such person there, and that it would be impossible for him to send one without its being found out here or at Paris, by England. On my mentioning the probability of the same discovery being made, if the French government should send a person here, he said there would be much less difficulty, if that person were charged not to discover himself,—or to pass for an American; and that the communications between him and the ministry here might pass through my hands, so as to remove all suspicion of his being a person charged with a negotiation.

Should you think it proper to communicate this desire of the duke de la Alcudia to the French government, you will observe that nothing in writing has passed between us, and that his request to me is made only verbally. Although I have not the smallest doubt myself of the full and unequivocal sincerity with which he has thus opened himself to me; yet I would not chuse to induce the French government to adopt the measure proposed, without, at the same time, stating that the ground is as yet merely verbal.—If, however, the Republic is willing, as I have no doubt, to enter into negotiation for peace, and should chuse to have some written ground, I suppose it probable the minister would not refuse to communicate to me in confidence, in writing, his desire above mentioned; if he should be assured of its being complied with by sending an agent here as stated already. From the footing on which you stand, of course, with the French government,

you will be able to judge what is the mode that would be most agreeable to them in the conducting a negotiation with this country, if they do not approve that suggested by the duke; and if they think it proper to communicate it to me, I will ascertain here the sentiments of the minister respecting the mode that shall be proposed.

So much for the mode of the negotiation.—It may not be improper to add something respecting the substance of it.—It would seem natural that the duke should have given me some intimation of the conditions on which he wished the peace to be settled with the Republic; but I did not chuse to press on this head, because it did not seem to be the proper time to be asking for particulars, and also because, as he knows my attachment to France in common with that of every other American, he might chuse not to put me further in possession of his sentiments than might be absolutely necessary.—From our conversation, however, as well on this, as on preceding occasions, I find his desire would be to avoid, if possible, contracting any article which might force this country into an immediate war with England. He is determined to risk that event, however, if the simple deviation from the convention of May 25, 1793, and the treating separately for peace with France, should render it inevitable. He flatters himself, however, that Spain's making a separate peace would not induce England to declare war against her under present circumstances. He would desire, therefore, to conclude a peace as simple as possible. He would chuse to avoid guarantying to France the island of Corsica, and such parts of the East and West Indies as England has taken during this war; because he conceives that would necessitate an immediate war with England: But the desire of this country is, that France should reconquer those places, as it is the real interest of Spain that they should belong to France rather than to England. I mention these things, merely as the first desire of the minister. How far he might be induced to deviate therefrom, for the object of a pacification with the French Republic, will appear in the course of the negotiation, if it should be opened. The greatest difficulty will be as to the parts of Spain conquered by France; and I apprehend, as I have mentioned above, that some difficulty has already shewn itself, as probable, as to the place of Figueras. It is the business of negotiation, of course, to remove difficulties.

Should the French government chuse to have something more certain fixed before sending an agent here, and will inform you how far they wish previously to be made acquaint-

ed with the outlines of the sentiments of this court, it is probable the minister would communicate them. At the same time, he would probably expect an equal mark of confidence through you and myself, of the sentiments, on the same head, of the French government.

This letter will be forwarded by the minister through the frontiers by a flag; you will therefore soon receive it. I will thank you immediately to acknowledge the receipt thereof, and to let me know, as soon as possible, whether you have judged it proper to take any step in consequence thereof, and what shall have been the result thereof. Send your letters on this subject by the same way by which you sent that of the 6th of February, the last I have received from you. I have as yet no answer from the President, as to the absence from hence which I have asked. I hope ere long to have the pleasure of renewing to you, in person, the assurances of my being sincerely your friend and servant.

The Commissary of Foreign Relations, to the Minister Plenipotentiary of the United States of America.

Paris, 22d Prairial, 3d Year of the Republic.

(June 10th, 1795.)

SIR,

THE commission have had repeated opportunities of being convinced, that American consuls in France, and even sometimes their agents, grant passports or certificates, giving the qualification of citizen of the United States to the bearers of them, and by means of which these travel through France, and even go out into foreign countries.

I cannot help observing to you, that, according to our laws and the laws of nations, foreign ministers having alone the right to grant such passports, and to attest the political existence of the individuals born in their respective countries, those given by the consuls or their agents are totally useless; since, to travel in the interior of the Republic, the passport of the municipality of the place of landing is sufficient, and that to leave the territory, the only admissible passport is that given by the minister of their nation.

I must add, that if the individual who wishes to leave the territory of the Republic has come in consequence of ordinary commercial transactions, he does not need a passport for

that purpose ; if, on the contrary, he has been brought in by the ships of the Republic, having been found in an enemy's vessel, in that case, his position, which is almost always dubious, deserves attention, and ought to be submitted to the examination and determination of the minister alone.

Persuaded, Sir, that you will find these observations just, and that you will please to communicate them to the consuls of your nation, recommending it to them to conform to them, it is with the fullest confidence that I submit them to you.

From Mr. Monroe, to the Commissary of Foreign Relations.

Paris, June 19th, 1795.

YOUR letter of the 22d Prairial communicates to me your observations relative to the passports and certificates granted by different consuls of the United States, and their agents in the ports of the Republic ; and agreeable to your desire, I have informed them thereof in my circular letter of the 18th instant, of which I inclose you a copy. I beg you to be persuaded, citizen, of my sincere desire to adopt all such measures as may be deemed necessary to the welfare of this Republic ; confident that in so doing, I shall always have the approbation of the government of the United States.

Circular to the Consuls of the United States in France.

Paris, June 18th, 1795.

COMPLAINT has been made to me by the commissary of foreign relations, that our consuls, and in some cases their agents, have granted passports and certificates, under the authority of which, the bearers are permitted to travel through the interior of France, and likewise into foreign countries. He observes, that by the law of France, and of nations, no person, other than the minister of a foreign power, has a right to grant such passports ; and that it is likewise unnecessary, since, for the interior passage, the passport of the municipality of the port where such persons land is sufficient, and for the exterior, or to go without the Republic, that of the minister alone ought to be granted : For, if the party desirous of withdrawing enters the ports of the Republic in the ordinary course of trade, none is necessary to enable him to with-

draw from it; and if he was brought in by the ships of the Republic, taken on board those of its enemies, then his case, which is always doubtful, merits attention, and should be examined, and determined upon the evidence furnished by the minister alone, who is more immediately responsible to the government in that respect. These observations appear to me to be just, and according to the law of nations: I have therefore thought it my duty to make known to you the desire of this government upon that subject, and to request your punctual observance of it.

In those cases where our fellow-citizens are permitted to depart from the Republic, by existing decrees, in the ordinary course of trade as above-mentioned, but are improperly impeded by some circumstance or other, you will of course observe, by application to the municipality, or other suitable authority, that the benefit of those decrees be extended to them; and in all those cases where my passports are necessary, and the parties are not able to attend here in person, you will be pleased to represent to me their pretensions, provided you think them well founded, with the evidence to support those of each applicant. In such cases it will not be necessary to transmit copies of each certificate or other document laid before you: It will be sufficient that you state in a certificate, under the seal of the consulate, the purport of each item of testimony; by whom furnished, and whether by Americans or foreigners: The former of which are always to be preferred; because, as the citizens of the United States have an interest in the character of their country, so it is to be presumed they will always be on their guard not to injure that character, by imposing on its representative here.

In describing the pretensions of those who ask for passports, you will be pleased to state how they came into the Republic, and what their occupation is: You will likewise observe that as there are two descriptions of persons whose claims are deemed inadmissible by the government here, so it will in general be unnecessary to bring them forward. The first of these consists of those, who having become citizens of some state since our revolution, have left us, and now reside in the country from whence they emigrated; for such persons, being likewise subjects of the power where they were born, ought to be deemed here citizens of that country only, to which they have given the preference by residence. The second consists of those who were refugees in the course of our revolution, and who having never returned, or acquired the right of citizenship since, cannot be deemed citizens, whether born in America

or elsewhere. In all doubtful cases, however, you will be pleased to submit the pretensions of the parties to me, that, regarding principles, I may pay all possible attention to them, that circumstances will admit of.

Your ordinary commercial concerns, in which my support may be deemed necessary, I will thank you to communicate with me as heretofore, through Mr. Skipwith the consul in this city: For as he is charged with those concerns, and obtains redress if possible, without my intervention, he is thereby enabled officially to report to me correctly those cases in which he cannot succeed, and of course, in which my interference may be useful; which report forms generally the basis of my application.

The Commission of Foreign Affairs, to the Minister Plenipotentiary of the United States of America.

Paris, 3d Messidor, 3d Year of the Republic.

(June 21st, 1795.)

THE commission has received with your letter of the 1st of this month, the copy of the circular you have been pleased to address to the consuls of the United States in the ports of the Republic. I must beg you to accept my thanks for the attention you have paid to the observations which I thought it my duty to present to you. The manner in which you develop in that circular the principles concerning the preservation of good order, are a new security of your care to maintain it. I could only have wished, that in establishing, as you do, that persons arrived in the ports of the Republic in the common course of commercial transactions, and who wish to leave it, need no passport for that purpose,—you had added this restriction,—if they are not at a distance from the ports where they landed.

From the Commission of Foreign Affairs, to the Minister Plenipotentiary of the United States of America.

Paris, 6th Messidor, 3d Year of the Republic.

(June 24th, 1795.)

THE commission knowing your readiness to concur in whatever tends to preserve good order, propose to you with

confidence the measures which may contribute to that object. They beg you consequently, to be so good as to communicate to them, each decade, a certified list of your fellow citizens arrived in Paris. It is important to the government to know the foreigners who reside in this commune; and it must be advantageous to themselves, that their abode here be known.

From the Minister Plenipotentiary of the United States of America, to the Commissary of Foreign Relations.

Paris, June 27th, 1795.

BEING extremely solicitous that the rights which my countrymen enjoy here should be strictly confined to themselves alone, I shall be happy at all times to adopt such measures as may be deemed necessary to make known to your government those who are my countrymen. With this view therefore, I shall, with pleasure, cause to be furnished you every decade the list of those to whom passports or certificates are granted, according to your request. In guarding the welfare of the Republic, I pray you to propose to me always, with freedom, those measures in which my co-operation may be useful; since you may always calculate upon my concurrence, in forwarding an object, which it is upon all occasions my most earnest wish to forward.

From the Commission of Foreign Relations, to the Minister Plenipotentiary of the United States of America.

Paris, 13th Messidor, 3d Year of the Republic,

(July 1st, 1795.)

SIR,

THE commission has received your letter of the 9th instant; by which you inform them, that, adopting the measure they proposed to you by theirs of the 6th, you are willing to transmit to them each decade the list of your fellow citizens who may have obtained passports. They beg leave to observe to you, that by means of the certificate which they annex to the passports given by the foreign ministers, they have full knowledge of those delivered; but that the request they have made you has for object to know the Americans

arrived at Paris, and who cannot but present themselves to you. They beg of you, therefore, to send them a list of these each decade.

The commission has communicated to the committee of public safety, the readiness which you have shewn in whatever tends to preserve good order. The committee fully convinced of your active attention in this respect, has not doubted but that you would favourably regard every means of concurring in it. They consequently direct the commission, to invite you to communicate to them a list of all your fellow citizens now in Paris. The government being thus made acquainted with the Americans that are within this commune, and with those who may arrive hereafter, will be better enabled to secure to them efficaciously the protection which the American government extends to them.

From the Minister Plenipotentiary of the United States of America, to the Commissary of Foreign Relations.

Paris, July 3d, 1795.

I HAVE received yours of the 13th Messidor in answer to mine of the 27th of June, and to which I beg leave now to reply.

The note which I wrote to you ought to have comprized those to whom certificates are granted, as well as passports; for to many certificates are granted merely to authorize a residence in Paris, and its vicinity. This change will comprize all those of whose arrival I have, or can have, any knowledge.

It is true, that all the Americans who arrive in Paris ought to call immediately upon me and take the protection to which they are entitled from the minister of their country. But the fact is otherwise; for many never call until they are about to depart, some of whom have thus remained for five, six and eight months. In the interim they are protected by the passports they have from the municipalities in the sea ports, and other authorities which they find adequate: For if they were not adequate, they would of course apply to me, for the protection they otherwise did not enjoy. You will readily perceive that it is my business only to give protection to my countrymen entitled to it; beyond which my authority cannot extend: That it is the business of the government to see that those who are not possessed of that protection, shall not be deemed such, and of course be treated accordingly. I sug-

gest this idea for your consideration, that weighing it you may shew what step I shall take to avoid the inconvenience complained of, if possible on my part; or propose to the committee such measure as will remedy it on theirs.

In case any new regulation is adopted, I beg of you to apprise me of it, that I may give the necessary notice thereof to my countrymen, that they may sustain no injury from a measure which is calculated to secure them the enjoyment of their just rights, by preventing others from imposing themselves upon this government as their compatriots, to the injury of France and the dishonor of America.

I will see that the list of those in Paris be made and furnished you as soon as possible.

From the Committee of Public Safety, to the Minister Plenipotentiary of the United States of America.

Paris, 19th Messidor, 3d Year of the Republic.

(July 7th, 1795.)

THE committee of public safety requests the minister plenipotentiary of the United States of America, to transmit to captain Michael Burke the enclosed letter. This testimony of their gratitude towards that brave captain is a very agreeable duty to fulfill.

It is by such proofs of generosity and courage that the American and French nations should cement the perfect union which ought ever to subsist between them.

(Signed)

CAMBACERES, President,	F. AUBRY,
BOISSY,	DOULCET,
J. B. LOUVET,	GAMON.

From the Minister Plenipotentiary of the United States of America, to the Committee of Public Safety.

Paris, July 10th, 1795.

I HAVE received with pleasure the notice you have been pleased to take of the conduct of Captain Burke, an A-

merican citizen, who has rendered an acceptable proof of his attachment to the French Republic. I will immediately transmit him your letter acknowledging that service; and doubt not he will deem the incident which furnished an opportunity of rendering it, whereby he has merited your approbation, the most fortunate one of his life. It is by commending acts of patriotism, that the generous spirit of emulation is excited; and the example known and followed by others. Upon the same principle, therefore, that you have been pleased to notice his conduct, I shall take care to make it likewise known to our government, and with whom, I doubt not, it will excite similar sensations of pleasure.

From the Minister Plenipotentiary of the United States of America, to the Committee of Public Safety.

Paris, July 5th, 1795.

THE injuries which the piratical powers on the African coast have rendered and continue to render to our commerce, are known to this Republic; because it takes an interest in our welfare, and because those injuries cannot otherwise than be eventually hurtful to the commerce of France likewise.

It was foreseen, at the moment when we became an independent nation, that we should be exposed to the piracies of those powers; and the spirit of amity which disposed the then councils of France, in obedience to the wishes of the people, to aid us in that struggle, disposed them likewise to assure us of their support in our negotiations with each respectively. But unfortunately no treaty has yet been formed with any of those powers (Morocco excepted) and in consequence our commerce has been interrupted by their cruizers and especially those of Algiers; whereby many of our citizens were also taken, and who are now detained in slavery.

It is the wish of the United States to make an effort, at this present moment, to conclude a peace with those several powers, and to pursue that object in harmony with this Republic, that its aid may be extended to them in their negotiations with each; and for which purpose I have now the pleasure to inform you, that Mr. Humphreys, minister of the United States at Lisbon, has just arrived here with full power to commence and conclude such treaties. It may be necessary further to premise, that suitable provision has been made for

those treaties, according to our idea of what would be suitable, and so far as we were able to make it; and of course, that the only aid which we wish from this Republic is that of its good offices and influence in the councils of those powers.

If the committee is disposed to render us this aid, our future measures will be in concert with the committee; because it best knows how it may be most efficaciously rendered, and with least inconvenience to itself.—In that view we will be happy to open to the committee our funds, &c. that by knowing completely our real situation, the concert and harmony may be perfectly complete; and in consequence the best arrangements taken, that circumstances will admit of, to ensure success in the negotiations contemplated.

As we have reason to apprehend the interference of some other powers, who would not be pleased to see us at peace with those regencies, permit me to suggest the propriety of great secrecy in respect to the present, and such future, communications as may take place between us, upon this interesting subject.

[No. XVIII.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, July 6th, 1795.

SIR,

ABOUT three or four weeks past, one of our vessels which touched at Havre from England, was taken in charge by the government, and the captain and passengers confined, upon a suspicion they had brought false assignats with them, with a view of circulating them through the country, and thereby subserving the views of its enemies. Complete search was made upon the vessel, but no assignats were found. As I knew that the suspicion which was entertained, ought not to be extended to three young men who were passengers, I immediately applied to the commissary of foreign relations for their discharge, and obtained an order for it, though fortunately they were released by the municipality at Havre before it reached them. But as I was not acquainted with the character of the captain, or any others belonging to the vessel, and was aware

of the right the government had to protect itself from injuries of every kind, and from every quarter, and of course to search the vessel, and as I also hoped in case the suspicion proved to be groundless, it would prevent the like in future, and especially upon frivolous suggestions, I did not choose, in that stage, to apply likewise in their behalf. After the search was made, and the government satisfied it had suspected without cause, the captain was put at liberty, and the vessel offered back to him. But, being mortified in having been suspected, and as his vessel and cargo were somewhat injured by the search and neglect which ensued his arrestation, he seemed disposed rather to throw the whole upon the government, and demand an indemnity for it, and with which view he lately came here to confer with me. I advised him to gather up what he could of his own property, and pursue his voyage according to the original destination, limiting his claim merely to the damage sustained, and leaving that to be pursued by the consul here under my direction. As yet he waits his protest and other documents from Havre, reserving to himself the liberty of acting after their receipt as he pleases, and according as the light of preceding examples of the like kind, and whose details he will in the interim acquire, may admonish him will be most for his interest. I shall endeavour to obtain justice for him upon sound principles, and have only mentioned the case, that you may know such a one has happened, and what the circumstances of it are.

The jealousy which is entertained by this government, of the commerce carried on by our countrymen between the ports of this Republic and those of England has latterly shewn itself in a more unpleasant form than heretofore, and I am fearful will yet produce some more disagreeable effects. A Mr. Eldred was lately apprehended at Marseilles, and sent here under guard, upon a charge of having given intelligence to the British of some movement in the French fleet. Upon enquiry I found he had my passport, granted too, upon the most substantial documents, proving him to be an American citizen: But I likewise found that, in truth, he was not an American citizen; for, although born in America, yet he was not there in the course of our revolution, but in England; nor had he been there since. From what I hear of him, he is not a person of mischievous disposition, nor one who would be apt to commit the offence charged upon him. But I do not know how I can officially interfere in his behalf; for when once a principle is departed from, it ceases to be a principle.

More latterly I was requested by the commissary of foreign affairs, to prohibit our consuls from granting passports, and which was immediately done. I was afterwards requested by him, to furnish a list of the Americans actually in Paris, and to render a like list every decade of those who should in the interim arrive, and which was promised, and will be punctually executed. I herewith send you a copy of my instructions to the consuls, and correspondence with the commissary on this subject.

You will readily perceive, that this jealousy proceeds from the circumstance; that many of those, who are actually engaged in this trade, are of that description of persons, who, having latterly become citizens of the United States, are likewise subjects of England; nor can you be surprized when that circumstance is considered, without any imputation on the character of the parties, that this jealousy should exist: They are English themselves, their connections are so, and in England their profits will probably ultimately settle. It is natural that a communication of this kind should draw after it suspicion, or rather it would be unnatural if it did not produce that effect. To the people of America this is an evil of serious import: For by it, it is obvious, that the confidence which is due to our national character is daily diminished. Nor can the mortification which is incident to such a situation, be otherwise than heightened, when it is considered, that we are most a prey to this evil, at the moment when the government to which these persons belong insults our national dignity, and tramples on our rights. Be assured I shall do every thing in my power to guard us against injuries of this kind, by excluding all who are not, and upon the principles agreed upon my first arrival here, strictly entitled to our protection; and by which line of conduct I hope I shall succeed, in a great measure if not altogether, in the accomplishment of an object so important to our welfare.

As connected with this subject, permit me to mention another, which I deem equally important, and more remediable. We have at Hamburg, as consul for the United States, a Mr. Parish, who has held that office for some years past. This gentleman is an English subject, and was, as I am assured, never in America. All the Americans who have been at Hamburg and who come here unite in representing him to be (comparatively with England) as unfriendly to America; as absolutely unfriendly to France and the French revolution, and which traits are said to be often discernible in his public conduct. It is affirmed, that he is likewise an agent of England, and that,

particular, the Prussian subsidy passed through his hands. Upon these facts you may rely (and especially the latter, into which I have made more pointed enquiry) for they are agreed on by all the Americans, and, I am sure, have been stated to me by at least fifty. Without observing how wide a door is here opened for England to benefit herself, and injure France, and through us, even whilst its use is confined to that range, which, without any imputation on the morality of this gentleman, national prejudice alone would allow, there are other considerations, which, at the present moment, make this appointment worthy your attention. Since the commencement of the present war, a great proportion of the commerce of the north, and from every quarter of the world, has centered at Hamburg, and will probably continue to center there, until its close; from whence it issues again in different directions,—France, Holland, England, &c. That this commerce is capable of a serious impression by the public agents of different countries there, and especially by those of neutral powers, whose connexion is sought with great avidity by the subjects of the powers at war, cannot be questioned; nor can it be questioned, when it is considered who this gentleman is, that the impression which he makes upon it is a British and not an American one. In addition to which it may be observed, that as he resides in the dominions of an independent power, and where we have no minister, it is in some measure his duty to grant passports to Americans travelling elsewhere. This circumstance, therefore, and especially at the present moment, increases the importance and delicacy of the trust. In justice, however, to this gentleman I must add, that I do not know any instance in which he has betrayed it in this respect, and that, in others, I only apply to him general principles, and bring to your view the complaints of our countrymen. Personally, I never saw or had any communication with him. There are at present at Hamburg several Americans worthy of this trust, among whom are Joel Barlow and Wm. A. St. John, son of him who, by his writings, is well known; but, in truth, so profitable is the post, that there are but few American merchants in Europe who would not accept it. In general, permit me to suggest for your consideration; whenever a vacancy takes place, or whenever it becomes necessary to supercede an existing consul, whether it would not be adviseable to advertise the fact, that candidates might offer for the post; for sure I am, that it would rarely happen that suitable candidates, American citizens, did not offer. In Europe such generally may be found.

Since my last, the French have sustained a loss at sea of three ships, which arose partly from accident not to be guarded against, and partly from misconduct. It occasioned the immediate dismissal of d'Albarade, minister of marine, who gave way to a successor believed to be better qualified for the post. The British have likewise landed on the French coast near Nantes, about six thousand emigrants, and who being joined perhaps with some of their own troops, and since by some fanatic priests, are said to make up a force of about ten thousand men. It is supposed the British government might hope, that by putting these people in the neighbourhood of the Chouans or Vendéans, they might, by encouraging a rebellion there, combine a force capable of making some impression: But a wish to rid themselves of these unfortunate men, whose support becomes daily more burdensome, is believed to be the more influential motive. All parties unite here in the sentiment that they are sacrificed, and consider the act of landing them, as an act of barbarity, excelled only by those which were formerly perpetrated in the same neighbourhood by the infatuated Carrier.

It is believed that a treaty has taken place between England and Russia, in which the former has stipulated not to take the side of Poland against the latter; in consideration whereof, Russia is to furnish England a certain number of ships during the residue of the war. It is likewise believed, that England has announced to Spain, that in case the latter makes peace with France, she will commence immediate hostilities upon her. This may possibly keep Spain in a state of suspense some time longer. On the other hand it is obvious, that the connection between France and Holland, Denmark and Sweden becomes daily stronger; whilst Austria, paralyzed by the peace and movements of Prussia, which threaten an entire change in the Germanic system, and such an arrangement of its parts as will give an entire preponderance to Prussia, scarcely knows what part to take; whether to make peace or continue the war. It is the interest of Prussia that Austria should continue the war; for the pressure of France upon the Empire, which is the consequence of it, tends to favour the views of Prussia, by throwing the members of the Empire into her arms, with a view of securing their peace with France, through the intercession of Prussia.

In conversation a few days past with Baron Stael, Ambassador from Sweden, he informed me of a communication formerly made by the court of Sweden to Mr. Pinckney at

London, for our government, and upon which no answer was given, although it was much wished. I desired his communication in writing, that I might forward it to you, and which was accordingly given, and is herewith transmitted. I have no doubt that whatever he says to me is known to the committee, as I was informed by some of its members in the beginning of the winter, and before the Baron arrived, that such an application had been made to us from that quarter. It belongs to me only to forward this paper, and which I do, not doubting that I shall be instructed, relative thereto, in the most suitable manner.

Colonel Humphreys has just arrived, and, upon due consideration, I presented last night a paper to the committee, opening, as far as was expedient, the object of his visit; and upon which subject generally I shall be more full in my next, when I hope to be possessed of an answer.

From the Committee of Public Safety, to the Minister Plenipotentiary of the United States of America.

Paris, 20th Messidor, 3d year of the Republic.

(July 8th, 1795.)

THE great number of foreigners who crowd to Paris, determine us, Citizen, in taking measures which, by securing the entire protection of the laws to those who have rights to the hospitality of the French People, may at the same time enable us to discover and watch men, whose suspicious situation, or whose connection with enemy's countries, are calculated to direct towards them suspicions as intriguers and spies, which are too well justified by many events in our revolution. Persuaded, Citizen, that, in your quality of minister of a neutral and friendly power, you will hasten to second the salutary views of the government, we request you to transmit direct to us a list of all those that you recognize as belonging to your nation, and as residing at Paris from legitimate motives, and to transmit to us likewise, from decade to decade, the names of those of your nation who shall have arrived, and who shall have asked passports of you, during the interval. You will thus facilitate to the government of the Republic the

means of watching over the internal and external safety of the state, and of giving to your real fellow citizens a new guarantee of its protection and good will.

Signed)

J. B. LOUVET, of Lo'ret, TREILLARD,
BOISSY, JEAN de BRY,

From the Minister Plenipotentiary of the United States of America, to the Committee of Public Safety.

Paris, July 10th, 1795.

I HAVE received yours of the 20th Messidor, requesting that I would immediately cause a list to be rendered you of my countrymen in Paris, and hereafter a like list, from decade to decade, of those who may arrive and demand passports of me;—a measure you deem it necessary to adopt, to guard the Republic from danger, by an accurate discrimination of your friends from your enemies. I shall execute this request with pleasure; being extremely anxious, as well for the credit of my countrymen as the welfare of this Republic, that the most accurate line should be drawn between them and the subjects of the powers at war with France. The more accurate the line of distinction, and strict the execution, the more agreeable it will be to me. I have in consequence notified to my countrymen who are in Paris, and shall cause the same to be made known to those who may hereafter arrive; that it is my wish they immediately attend at my office to enregister their names and receive passports, that I may be enabled equally to comply with your desire and extend to them the protection which is their due. I shall, I presume, have the pleasure to send you the list of those who are actually in Paris, on Sextidi next, and shall afterwards furnish a like list on the same day of every succeeding decade.

From the Minister Plenipotentiary of the United States of America, to the Committee of Public Safety.

Paris, July 14th, 1795.

I SENT you yesterday a list of my compatriots in Paris, according to your request of the 20th instant (Messidor) and shall continue to furnish a like list every decade whilst you deem it necessary.

In rendering this list, it becomes necessary for my future conduct, that I should ask of the committee an explanation of a decree of the convention of the 23d instant (Messidor) upon this subject: For I observe by that decree, that such citizens as are born within the jurisdiction of the powers in alliance and friendship with the French Republic, and who are acknowledged by the representatives of such powers here, are designated as entitled to protection, and by which it may be inferred, that all those who are not *born there*, are to be excluded from such protection. Permit me to ask; whether such is the import of the decree? The following considerations incline me to believe that it is not.

- 1st. Because it denies the right of expatriation, admitted by this Republic, and which cannot be denied without supposing a man attached to the soil where he was born and incapable of changing his allegiance.
- 2d. Because it denies the right to all governments to confer the privilege of citizenship, and incorporate into its society any person who was born elsewhere, and which is admitted and practised every where.
- 3d. Because, as the first member of the fourteenth article of that decree allows even the subjects of the powers at war with the Republic, who came in before the 1st January 1792, to remain here,—it would follow, if such were the construction, that many of the subjects of those powers would be put on a better footing than many of the citizens of those who are your friends and allies.

From these considerations I am inclined to think, that such is not the import of the decree, and that the term was intended to mean *political* as well as *natural birth*; but as it is capable of a different construction, I have thought it my duty to ask of you an explanation on that head: For, at the same time that it is my wish to extend protection to all those of my coun-

trymen, who are deemed such by the laws of my country, it is likewise my wish to do it in such manner and upon such principles as will be satisfactory to the French Republic.

No. XIX.

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Philadelphia, August 1st, 1795.

SIR,

I WAS sorry to find, some days after my last, that the disquietude which I intimated existed in the councils of this Republic, and to which the communication between its ports and those of England had given birth, assumed a form still more unpleasant, in regard to us, than I then apprehended it would do; for, whilst the subject was under discussion between the commissary and myself, and, as I thought, approaching towards a close, the committee interposed, and taking the business out of his hands, addressed me on the same subject, and to the same effect, laying, at the same time, the draft of a decree before the Convention, the principal object of which was, to preclude all those, who were not born within the jurisdiction of the neutral powers, from the protection of the ministers of those powers here. The decree, you will observe, was made general, as well as the letter which preceded it from the committee. I had, however, seen too much of the business, not to know, that in regard to others it was formal only, whilst it was, in reality, pointed against a particular description of our own citizens, and of Englishmen, who, by means of American passports obtained elsewhere, and, no doubt, by fraud, sometimes passed for such.

As I presumed it was not the intention of the committee or convention, that the decree should be construed and executed strictly, because I knew upon principle it could not be supported, and because I likewise knew, that many of those whom it would thereby comprehend, were resident, and valuable members of our community, and had been, and now were, by their commerce, useful to France,—I demanded immediately an explanation from the committee. of the decree, and soon afterwards obtained an interview with that body; in which I was explicitly assured, that they did not mean to call in question any principle insisted on by us; that their only wish was

to exclude Englishmen; and that, in regard to myself, they meant to impose on me no restraint, in granting passports, I had not already observed. Thus, this business has happily terminated precisely where it ought to do, without producing any real change here, or other effect any where, which can be hurtful to us.

I have the pleasure to inform you, that the full aid of this government will be given in support of our negociation with Algiers, &c. Upon this you may, I think, count with certainty, as I have been assured of it by the committee, and am furnished with all the light which their past negociations with that regency enable them to give us on that subject. Difficulties, however, of a new kind arise, and which may possibly create some serious embarrassment. The fund destined for this business is, I understand, in England, and the English intercourse law prohibits, as I hear, and under the penalty of death, the payment of drafts from this country, in favor of any person in France, or who has been in France since the commencement of the war between the two nations. Perhaps this law may not be deemed applicable to this case: Perhaps, if it does, the inconvenience may yet be remedied somehow or other, so as to prevent the failure of the treaty on that account. Colonel Humphreys is still here upon this business; and as we devote our unremitting attention to it, you may be assured that no measure, necessary to its success, will be omitted, that we are capable of.

Within a few days past, the emigrant army, which lately landed in the bay of Quiberon, under the auspices of Great Britain, has been completely defeated, and its whole force, amounting to about ten thousand men, either slain or taken prisoners; of which about four thousand were slain. Many of those who composed that army are said to have been raised by compulsion, from among the French prisoners, and were of course immediately set at liberty. By the law, all the others are doomed to suffer capital punishment; but it is to be hoped, as many of them are weak and misguided men, its rigor will be moderated, at least in regard to them.

Within a few days past, also, a peace was concluded with Spain; whereby the whole of the island of St. Domingo is ceded to France, the latter yielding her conquests made in this quarter since the war. That there are some secret articles is more than probable. I herewith send you a copy of the treaty, as likewise of the details which attended the defeat and destruction of the emigrant army, according to the

report thereof rendered by Tallien, who was in mission with the republican army in that quarter.

You will perceive that our claims have not been provided for in this treaty with Spain; relative to which claims I have heard nothing, since mine to you of the 14th of June last. 'Tis possible I may soon hear something on that subject, either from this government or from Mr. Pinckney; in which case I will immediately advise you of it. It is likewise possible, a war may soon take place, in consequence of that treaty, between England and Spain, and in which case it will, no doubt, be the wish of the former to involve us in it on her side: But this, I hope, will not take effect; because, under existing circumstances, it would not only produce many unhappy consequences; but because I am of opinion, if Mr. P. finds difficulties, that the object may yet be attained, by the intercession of this government, as soon as I am enabled to shew, that Mr. Jay's treaty stipulates nothing injurious to this Republic. Doubtless France will now have great weight in the councils of Spain; and, most certainly, if we continue in friendship with France, and of which there can be no doubt, it will be possible to avail ourselves of it, in support of our claims there.*

These two great events must certainly produce the most important consequences, as well in securing tranquillity at home, as in cutting off all remaining hope of success, on the part of the powers still at war with this Republic. Indeed the probability is, that peace will soon be made with the Italian powers, and even with Austria: But with England, so peculiar is the relation between the two countries, that it is impossible to

* The state of this business appears to me to stand thus. Whilst Spain adhered to England, she rejected our pretensions to the Mississippi, &c. and listened to them only when she was about to secede from England, and connect herself with France. As this latter policy gained strength in her councils, her disposition to accommodate us likewise increased, as appears by Mr. Short's letter, referred to in mine of the 26th of June, 1795, and many other circumstances; since at that period she solicited our aid to promote her peace with France, promising that our claims should be adjusted at the same time. Standing well then with France, it followed that our controversy with Spain was permanently at an end, and upon our own terms. Mr. Pinckney arrived at Madrid precisely at the moment when things were thus circumstanced, and commenced and closed his negotiation, whilst that state of things lasted; the Spanish government being impressed with a belief that we were not only well with France, but that France supported our claims against Spain: And to which accommodation it is probable her then separation from England, and the danger of a war with that power, likewise contributed. Had Mr. Pinckney arrived a few months later, after France had seen our treaty with England, and adopted her present policy in consequence of it, I think his mission would have failed.

say when peace will take place, or even to hazard any plausible conjecture upon that point. An adjustment, however, with all the other powers, may possibly induce an accommodation between these, sooner than present circumstances authorize the expectation of.

About the time of the debarkation of the emigrant army, some symptoms were seen here, which gave cause for suspicion, that there was a party in Paris, which *felt* at least in unison with that army. Lately, a song called the "Reveil du Peuple," composed in reproach of the reign of terror, had become very fashionable among those who had suffered under that reign, and by some accidental circumstances was placed in a kind of rivallhip or rather opposition to the Marseillaise hymn. The young men of Paris, the relatives of many of whom had suffered under the reign of terror, formed a party who were in general in favour of the "Reveil du Peuple;" often calling for it at the theatres in preference to the Marseillaise Hymn, and which circumstance never failed to give uneasiness to many who were present. Light as this incident was, yet it seemed, at one time, to menace some ill consequences: The presumption whereof was indeed so strong, that the enemies of the revolution, who were said to stimulate the young men on, seemed to count upon it as a source from whence something in their behalf might be expected. Occasionally some excesses were committed by the young men, and in which they thought they had a right to indulge, even in contempt of the authority of the convention; upon which body they presumed they had some claim, for services rendered in the late commotions. It was, in truth, obvious that the range which they took at this time, when tested by the standard of strict propriety, or indeed of law, could not be justified. It might, on the contrary, have been called an insurrection, and a little rigor would have made it one. The convention, however, acted more wisely, by considering it for a while as a frolic; and finally, by issuing a proclamation telling them calmly of the folly and impropriety of their conduct, since thereby they exposed to danger the revolution, and of course their own safety; neither of which could it be their interest or intention to endanger. This mode of proceeding produced the happiest effect; for even before the reduction of the emigrant army and peace with Spain, tranquillity was in a great measure established; but since those two events, it has been completely so.

The convention is still employed upon the subject of the constitution, which will probably be gone through in the

course of two weeks more. — As soon as it is adopted, and of which there can be no doubt, and upon the principles generally proposed in the project reported by the commission, I will forward you a copy.

I have lately received a letter from a Mr. Cazeau, an unfortunate Canadian; who attached himself to our cause when we invaded Canada, whose name you will find in the journals of the Congress of 1783 or '4, at Annapolis, and which letter I now transmit to you. The journal of that day explains the nature of his demand touched on in this letter. As I was of the committee upon this memorial, I am well acquainted with the nature of his claim, and think, in the issue of the business, that justice was not rendered to him; as the order of Congress in his behalf was not executed. He is here, and I believe supported by the nation, in the expectation we will do something for him: The minister of this Republic with our government having been instructed to patronize his claim there.—May I request your attention to it.

I likewise enclose you a letter from Mr. Leach, with one from several respectable Americans here, recommending him for the consulate at Dunkirk, and to which I likewise beg that attention to which you may deem it entitled. My acquaintance with him is of late only; but he appears to me to be an honest and deserving citizen.

From the Secretary of State of the United States, to Mr. Monroe.

Philadelphia, May 2d, 1795.

SIR,

THE letter which I promised by Doctor Edwards is prepared; but the President not having returned from Mount Vernon I cannot submit it to his correction, without which it would be improper to send it. It is long, full and perhaps an interesting review of our conduct towards France.

I have to acknowledge your letters of January 13th, 1795; with triplicates of Nos. I, II, III, IV, V, VI, and VII, of September 20th, 1794;—of February 1st, 1795, and of a duplicate of December 2d, 1794:—This is the order in which they have been received.

Mr. Jay has transmitted the correspondence between you and him. When he arrives, I shall perhaps forward the sentiments of the President, as to the footing on which *the business* has been placed by him.

Colonel Humphreys failed six weeks ago, properly charged, for the negotiation with Algiers. Before this reaches you, he will probably have had a personal interview with you; and will satisfy you, that on this and every other occasion we wish to observe delicacy towards our friends and allies.

I am, &c.

EDM. RANDOLPH.

[No. XX.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, August 17th, 1795.

SIR,

I HAVE not been honored with any communication from you since that of the 2nd May last; though, doubtless, others are on their way, and which I shall soon receive.

Within a few days past, Philadelphia papers were received as late as the 3d of July, containing Mr. Jay's treaty, together with such proceedings of the senate upon it as were then published. As these gazettes are circulating every where, I conclude some of them are in possession of the committee of public safety, and that the details they contain will likewise soon find their way into the papers of this city: Indeed, it is said, they are already published at Havre. Of late I have heard nothing from the committee upon this subject; nor do I expect to hear any thing from that body upon it, let the impression be what it may, otherwise than in reply to such communication as I may make thereon, and respecting which it may be proper to add, that I shall take no step without your particular instruction: For as I presume some ulterior plan is or will be adopted in regard to it, and upon which, in its relation to this Republic, my conduct will be particularly marked out; so I deem it my indispensable duty to avoid in the interim, any, the slightest, compromitment either of you or myself upon that subject. I mention this that you may distinctly know how completely the final result of this business, so

far as it depends on me, is, as indeed it ought to be, under your controul.*

As I have had no communication with this government upon the subject of this treaty since its contents were known, it is of course impossible for me to say what the impression it has made is. It is as easy for you, with the lights you have, to form a correct opinion upon that point in Philadelphia, as for me to do it here. One circumstance, however, I think proper to bring to your view: Soon after the British government had recommenced the seizure of our vessels, destined for the ports of France, it was notified to the committee by a secret agent of this government, who had just returned from England; that he had been advised there, through a channel to be relied on, that the English administration had said, they knew that measure would not be offensive to our government; or, in other words, that it was a case provided for between the two governments. I treated the communication with contempt, and was happy to hear that it was considered nearly in the same light by the committee itself.

But since the arrival of the treaty, I have understood that, in connection with that report, the attention of many has been drawn with some degree of solicitude to the contents of the second paragraph of the 18th article, and who say, that as that article leaves the law of nations unsettled, and provides payment for seizures in cases of contraband, and of course for those which are not contraband, whereby the complaints of our citizens are prevented, and the British construction by implication countenanced,—this Republic has a right to complain of it. I mention this objection to you, that you may be aware of it, in case it should ever be brought forward on this or your side of the water; and that it will be brought forward, I think probable, if those seizures are not noticed in some very pointed manner. It is painful for me to give you a detail of this kind; but being an interesting fact, I do not see with what propriety it can be withheld.

It is said that the constitution will be completed in the course of a few days, and of which I will immediately after-

* At this time the treaty was not ratified by the President, nor was it known that it would be: And, if ratified, I expected to be able to state (if complained of by the committee) how long the commercial part would remain in force; whether we were willing to make a new treaty of commerce, and upon what principles, with France, with a view to conciliate; but no such instructions were given me. As to my calling the attention of the committee to it (now that they were possessed of it without my aid) without orders from the administration, it appeared to me to be an act of folly which nothing could justify.

wards forward you a copy. The discussion upon this very important subject has been conducted with great temper, and the harmony of opinion throughout greater than could have been expected.

The report of Pichegru having crossed the Rhine, as heretofore intimated, was without foundation: The height of the water occasioned by continual rains has hitherto prevented it: It is however said, that he has orders to cross it, and is now making the necessary movements for that purpose. The enemy are on the opposite side, watchful of his measures; but from his skill, the strength and enterprize of his army, success is counted on as certain.

No indication presents itself of an approaching peace between France and England, or even of a negociation for it. The only indication is to be found in an English ministerial paper, which speaks of the convention in very respectful terms, and of peace as a desirable object. It is probable, however, when a negociation commences, it will be short: For as I presume the overture will come from England; so it is equally presumable that none will be made 'till her administration is disposed to accede to the terms of France. These, I presume, are in some measure known to England, at least I expect so; a consideration which I particularly suggest at present, with a view of turning your attention to those symptoms which may be discovered on the other side of the channel, as data by which you may estimate either remote or immediate approaches towards this important event.

[No. XXI.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, September 10th, 1795.

SIR,

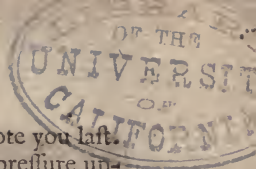
A PRIVATE letter of the 31st of May, is the last with which I have been honored from you, and as more than three months have since elapsed, I am inclined to believe, that some of your despatches are carried into England, and treated with the same violence that mine were by the admiralty at Halifax. It was, doubtless, an object of importance with the British government to know what were the ulterior measures of the President in regard to England, after the decision of the senate up-

on the treaty of Mr. Jay, and as I presume you wrote fully upon that head, and immediately after the decision was taken, so I cannot otherwise account why your letters have not reached me.

I sincerely wish to hear from you as soon as possible upon that subject; because if in the further pursuit of our claims upon England, it is wished to derive any aid from this Republic, either by harmonious co-operation or otherwise, it is obvious from a variety of considerations that the sooner an attempt is made to adjust the mode whereby such aid is to be rendered, the better the prospect of success will be. You know that France viewed with anxiety the late negotiation with that power, and waited the result not without unpleasant apprehensions of the consequences: and you likewise know that the moment when that anxiety ceases, and especially if there is any thing mingled in the cause producing the change, which argues an attachment for France, is the moment to make a suitable impression on her councils. Oftentimes incidents of this kind in private life encrease the friendship and cement the union between the parties; and the principle is the same with nations as with individuals, where the government is in the hands of the people. But the moment must be seized, otherwise the prospect diminishes, and every day becomes more remote; for when a coolness which has once taken place is suffered to remain for any length of time, after the cause which gave birth to it ceases, that circumstance becomes a new motive for chagrin, and which, especially if afterwards encreased by mutual slights, often ends in mutual enmity. In addition to which, it may be observed, that if such aid is wished from France, the state of the war is such as to require, on our part, dispatch; for it is always presumable, when its substantial objects are secured on the one side, and the hope of gain in a great measure abandoned on the other, as is actually now the case, that its close is not very distant.

I am still of opinion, that if a timely and suitable attempt be made to engage the aid of this government in support of our claims upon England, it may be accomplished, and upon fair and honorable terms. But under existing circumstances, peculiar and extraordinary care becomes necessary in the arrangement to be adopted; otherwise the attempt will fail. Our negotiation must be in harmony, and possess the confidence of this government, or it will not support it; for no government will support a negotiation it suspects will terminate in a treaty injurious to itself. For this purpose, then, the person to whom we commit the trust, should possess the confidence

dence of this government, and, in my opinion, the negociation should be carried on at the place where the French negociation is carried on; either here or at Basle, at which latter place it is reported, Mr. Eden has lately presented himself,—the same person who was not long since at Dieppe for an exchange of prisoners, as it was said. On the contrary, suppose any person was sent directly to England on this business, what would be its effect here? It is admitted that such a person might be sent, as would create no alarm here, of injuries to this Republic from the consequence of such negociation; but the manner would be deemed inharmonious, and would, of course, be considered as declining all claim upon this government for its support. England would know this, and profit by it. Indeed, no co-operation, under such circumstances, would be presumed. What can be the objections to such an arrangement? I can see none. If we were at war with England none would be urged by any one; for such was the case when we were at war with her. If, then, remaining at peace, another country is willing to give us the fortune of its arms, in support of our claims against a common enemy, ought we to decline an arrangement which would be adopted in war, especially when it is considered, that peace is the lot we prefer, and that our success depends upon its success, unaided by any effort of our own? Would it excite disgust in England? On the contrary, it would command her respect. Without compulsion we know we shall not gain from her what we are entitled to; and if this compulsion is to be procured from France, will it not be more efficacious, when she sees that our harmony with France is complete, and beyond her reach to disturb it? But can we accomplish what we wish by the fortunes of France, by any kind of negociation we can set on foot, without any effort of our own; and if any such effort is to be made, of what kind must it be? To this I can give no answer, other than by referring you to my former letters on that head; for latterly I have had no communication with this government on it. If it can be done, the above is the way to do it; but to secure success, by embarking this government with full zeal in our behalf, and striking terror into England, it will be necessary to lay hold of her property within the United States, take the posts, and even invade Canada. This would not only secure to us completely our claims upon Britain, and especially if we likewise cut up her trade by privateers; but by making a decisive and powerful diversion in favor of France, promote, and very essentially, a general peace.



The state of the war is the same as when I wrote you last. Pichegru is still on this side of the Rhine, and the pressure upon Italy is less forcible since, than it was before the peace with Spain; a circumstance which gives cause to suspect, that negotiations, promising a favorable issue, are depending with the powers in that quarter. A similar consideration may likewise impede the movements of Pichegru; for it is generally understood, that not only the Empire as a body, but several of its members separately, are negotiating for peace with this Republic; of which latter fact we have lately seen an example in a treaty with the prince of Hesse Cassel; whereby six thousand of his troops in English pay, are withdrawn from the army of the emperor.

I lately sent you, by Bourdeaux, a copy of the constitution which was adopted by the convention, and which is at present before the primary assemblies for ratification, and I now send you another copy of that act by Havre. The attempt which was hereby made, not simply to amend, but absolutely to set aside the former constitution, and introduce a new one in its stead, differing, too, from the former, in many of its great outlines, and especially in the character of its legislative and executive branches, under the circumstances which existed when it was commenced, being at the moment when the trial of Barrere and his associates was depending, and Paris afflicted by famine,—was an enterprize, you will admit, of great moment. So far as it was a dangerous one, it proves that such danger was encountered, from motives equally benevolent and patriotic. And as the constitution which this attempt has produced, comparatively with the other, is infinitely preferable to it, and forms, of course, in case it be adopted, a new bulwark in favor of republican government, it is equally so to conclude, that such, likewise, was the object.

The primary assemblies were convened to deliberate on it five days, and this is the fifth; and in those quarters from whence accounts are already received, it appears that it is adopted, in some places unanimously, and in all by great majorities. It was likewise submitted to the armies, and by whom it is said to be adopted almost unanimously. In the prospect, therefore, in this respect, before this Republic, one circumstance only presents itself, which darkens, in any degree, the political horizon. In putting the new constitution in motion, the convention wished to transfer from its own body two thirds of its members to the legislative branches of the new government, and for which a decree was passed. A motive for this was, the advantage the republic would gain

from keeping in office many of those in whose hands depending negotiations were, and who in other respects are acquainted with the actual state of things. There may be, and doubtless are, other motives for this measure, and which will readily occur to you. This arrangement is, however, disliked by many, and, particularly, by the inhabitants of this city, by whom it is generally rejected. The presumption is, that a great majority of France will approve the decree, and in which case Paris will yield; but, should the majority prove to be in the other scale, the presumption is equally strong, that the convention will yield; so that, from this source I do not see cause to apprehend any serious evil. Many, however, are of a different opinion, and count upon the division that exists upon this point, as the commencement of a counter-revolution. It is well known that the royalists are active, and using their utmost efforts to improve it in their favor, and it is also believed, that England and some other of the coalesced powers view it with the same anxious and favorable expectation. But it is usual for the royalists and those powers to catch at every circumstance which turns up, whereon to rest a hope; in general, however, their calculations upon the fortune of the revolution, have not been verified by events, and I shall be deceived if this is not the case in the present instance. Indeed, a sound reason may be given why Paris differs in this respect from the majority of the other departments, and without impeaching her attachment to republican government. All the atrocities which have stained the different stages of the revolution, have been perpetrated here; under every convulsion and change some of her citizens have suffered; and, with the preponderating party in the convention, she is not popular as a department; so that it is natural she should wish to exclude from the legislature of the new government all the members who compose the present convention.

P. S. Respecting Algiers I will write you in my next.

Since writing the above, it is announced that Jourdan, who commands the army of the Sambre and Meuse, has crossed the Rhine, at the head of about fifty thousand men, and in the face of about forty thousand, well posted, and strongly fortified on the opposite shore. It is also said, that he attacked and took by storm, immediately afterwards, the city and castle of Dusseldorf. Much applause is bestowed on the general and his army for this bold exploit, and which is deemed, under the circumstances attending it, among the most brilliant of the war.

*From the Commission of the Marine and of the Colonies, to the
Minister Plenipotentiary of the United States of America.*

Paris, 14th Messidor, 3d Year of the Republic.

(July 2d, 1795.)

CITIZEN,

THE commission learns, that nine English deserters, prisoners of war, have just been arrested at Bourdeaux, upon three American vessels. They are persuaded, that it is sufficient to denounce to you this fact, to induce you to repress the conduct of the three American captains, and to recall them to the duties that the treaty of alliance, which unites the two republics, imposes on them.

*From the Commission of Marine and of the Colonies, to the Mi-
nister Plenipotentiary of the United States of America.*

Paris, 1st Thermidor, 3d Year of the Republic,

(July 19th, 1795.)

CITIZEN,

THE commission is positively informed, that Englishmen, escaped from the prisons of war of the Republic, find in the ports, and chiefly in those of Bourdeaux and Dunkirk, opportunities of engaging on board American vessels.

It is certainly sufficient to denounce to you so plain an infraction of the treaty of alliance, which unites the two Republics, to induce you to use your whole authority against those who appear to favour conduct so improper, and concerning which the commission has before had occasion to complain to you.

(Signed)

REDON.

*From the Minister Plenipotentiary of the United States of Ame-
rica, to the Commissary of Marine.*

Paris, July 20th, 1795.

I RECEIVED your favour of yesterday, informing me, that many of the English sailors who escaped from prison, were

taken from the Republic in American vessels, and particularly from the ports of Bourdeaux and Dunkirk; and requesting my aid to prevent a practice hurtful to France. I had also received some time before, a letter of the 14th ultimo (Messidor) complaining of a particular case of that kind at Bourdeaux, and which I declined answering until I should hear from the consul at that port on the subject.

Permit me to assure you, that I have already done every thing in my power to prevent this abuse, and that I shall now repeat my endeavours to accomplish that object; being equally impelled to it from a regard to the obligations of duty subsisting between the two Republics, which with me will always be held sacred, as from my attachment to the welfare of this. With this view, and that the possibility of abuses might be prevented, I have some time since not only prohibited the consuls from granting passports to those who are Americans; but enjoined them likewise to use their utmost endeavours to prevent the captains of our vessels from taking off those who were not, and in which I am well satisfied I have their full co-operation. It is my duty, however, to add, that beyond this my authority within the Republic cannot extend: For to me it does not belong to punish those who violate its laws: To inflict such punishment by making a suitable example of those who commit the aggression, lies within the province of the government itself only. I have invariably admonished my compatriots to respect the laws of our ally, to whose welfare we have so many motives to be attached; and have warned them that in case they violate those laws, I shall leave them unprotected to their penalty. To impress this, however, more forcibly at the present moment, I will enclose a copy of your letters to me, and of this my reply, to all our consuls throughout the Republic.

*Circular to the Consuls of the United States of America, in the
French Republic.*

Paris, July 29th, 1795.

I HEREWITH inclose copies of two letters from the commission of marine to me, and of my reply thereto, relative to English prisoners taken out of the Republic, on board American vessels. I recommend you strict attention to this subject, which is fully explained in the said letters; and

request you will enjoin a like attention to the agents within your respective departments.

N. B. The letters whereof copies are mentioned above are; those from the commissary of marine of the 14th Messidor, and 5th Thermidor; and answer to the same of the 20th July, 1795.

*From the Commission of the Marine and of the Colonies, to the
Minister Plenipotentiary of the United States of America.*

Paris, 7th Fructidor, 3d Year of the Republic.

(August 24th, 1795.)

CITIZEN,

THE frankness which has always been and shall be the basis of the political and commercial transactions between the French Republic and that which you represent, commands me to awaken your solicitude upon occurrences, which would tend insensibly to loosen the bonds which unite the two nations, if, as I cannot believe, you should not concur with the agents of the French government in putting a stop to the multiplied abuses, of which the ports in the channel, and even the great ports for equipment, offer daily examples.

Some captains, furnished with American papers, frequent habitually those ports, and the shortness of the intervals which occur between their different trips give ground to strong suspicions against them. Most frequently they arrive in ballast, or with the semblance of a cargo, which they evade selling. Lately one arrived at Fecamp contradicted himself in his declarations; in fine, every circumstance induces a belief that the real end,—that the only end of the conduct they pursue, is a communication kept up between the French and English ports of the channel for the transportation of passengers, letters and perhaps even coin.

While I transmit you these details, I cannot avoid informing you of complaints of another kind, which have been made by French seamen, returned from the English prisons; and who, destitute, in consequence of a tedious imprisonment, of all means of subsistence, have been obliged to pay these same captains from two to five guineas for a passage from Dover to Calais. Such conduct adds, to the suspicion of an understanding with our enemies, the certainty of a base cupidity,

which asks a ransom from patriotism, and speculates upon misfortune.

You must be sensible, Citizen, that the character of neutrality, which renders a nation respectable in our view, ought not to serve as an *Ægis* to private designs, nor to shut our eyes upon those measures which may commit the general welfare and safety of the Republic; it is therefore urgent, that you should co-operate in unveiling the individuals who usurp the American colours in order to betray our mutual interests; and it is in the name of that friendship which unites two free nations that I now wish to induce you to secure the co-operation of men clothed with your confidence in our ports, to prevent such monstrous abuses. Your well known character is a guarantee, that you will second with alacrity the adoption of measures which, without wounding the sacred rights of hospitality, may frustrate the intrigues of individuals who, under the cloak of that title, and through the means of conformity of manners, habits, language and customs, receive with impunity from the treasures of England means of corruption, a thousand times more dangerous to us than the chance of battles.

I submit with confidence to your wisdom the means which would appear to me proper to attain this end.

You could, Citizen, direct the consuls of the United States, to invite every captain of an American vessel not to land either men or goods, when arriving in our ports, without first calling on the maritime agent, to communicate to him the intention of his voyage; the nature and quantity of the merchandize on board his vessel, and their destination; where shipped, and the number of his passengers.

Each captain might receive, from you or from the consular agents of your nation, the order to exhibit, upon demand, his journal and other sea-papers.

From the nature of the facts I have laid before you, would you think, Citizen, that there would be any inconvenience, that the maritime agent, or an agent of administration by him delegated, should be authorized to go on board in order to ascertain the faithfulness of the declarations, if they gave room for well founded suspicions? And would you not say, in case their inaccuracy should be proved, that it would be proper to keep the crew and passengers on board, until a decision from the committee of public safety be had? You must be sensible, that even in these cases, which, I delight in believing, would be very rare, I should on my part hasten to cause to be furnished every necessary succour and facility; and the indemnity

ty which might be due, in case of the definitive admission of the vessels into our ports, would besides be settled.

At all events, you will no doubt deem it proper not to suffer the landing of the passengers calling themselves Citizens of the United States, until their title to that citizenship be legally ascertained by the consuls of your nation.

I beg you, Citizen, to weigh these ideas, and to transmit me yours on the preventive means to be used, to avoid the repetition of the acts of which I have presented you a picture.

(Signed)

REDON.

From the Minister Plenipotentiary of the United States of America, to the Commissary of Marine.

Paris, August 30th, 1795.

I OBSERVE by yours of the 7th Fructidor (24th August) that you complain of an intercourse which is said to be carried on by some Americans from the ports of this Republic, to those of England; whereby a correspondence by letters is kept up, money exported and English people carried out of the country: You likewise complain, that the captains of those vessels ask exorbitant prices for the transportation or passage of French citizens from England here; whereby they subject themselves, in addition to the suspicion of intelligence with your enemies, to the charge likewise of extortion from the unfortunate; and in remedy of these evils you request of me,

1st. To instruct the consuls to prohibit the captains of our vessels from landing either men or cargoes, until a return of both is given to the maritime agents of the ports where they touch; as likewise a declaration of the port from whence they came.

2d. That I will arrange it so, that every captain shall take from me or the consuls his register, or other adequate proof of his vessel being American; by virtue of which alone, she shall be deemed such, and he entitled to the privileges of an American citizen.

Permit me to assure you, that whatever regulations this Republic finds it for its interest to adopt, and which allow to my countrymen the rights of nations and of treaties, in com-

mon with the citizens of other neutral powers, I shall not only be satisfied with; but endeavour, by just and suitable representations thereof to produce a similar impression upon the American government; being persuaded, that as well in the character of nations as republics, it is the mutual interest of both to cultivate each the friendship of the other. With the same view and upon the same principle I shall be always happy to adopt, so far as depends on me, such regulations as may be calculated to promote that desirable end.

The several particulars of your complaints are comprised in that of the intercourse between the two countries; if this were done away the others would cease; no correspondence of the kind could afterwards be kept up; no money could be exported, or English subjects carried out of the country; nor could any extortion be practised upon the unfortunate French citizens, who were imprisoned there. Is it in my power to prevent this intercourse? If it is, and this government wishes it to be prevented, then I should think I merited censure if I did not. But you will admit, that this is a measure to which I am not competent, and that it belongs to the French government alone to do it, as to regulate in all other respects its commerce: Regulations of mine upon that point would be disregarded by our mariners, who would consider me as usurping a power I had no right to exercise; they might likewise be censured by this government whose interest it might be to encourage such trade.

If then I cannot prohibit this intercourse, it follows, that I can subject it to no restriction. The same power which has the right to prohibit, has likewise the power otherwise to regulate it; and this belongs of course to the French government, and to it alone. Nor have our consuls any such power; their duties are regulated by a convention between the two nations, and which excludes every authority of the kind: Indeed the exercise of such an authority by a consul of either nation, within the jurisdiction of the other, would be deemed a derogation from the sovereignty of such nation, and therefore could not be tolerated. Our consuls are placed here, as yours are placed in America, for the advantage of our citizens respectively; to see that they enjoy the benefit of treaties, and the rights of nations; not to impose on the citizens any new and oppressive regulations.

If it is the interest and wish of this Republic to prevent such intercourse, admitting that it does exist, but of which I know nothing otherwise than by your letter and the public gazettes, which latter speak equally of the vessels of other

neutral powers, as of those of the United States, and it does prohibit it,—provided the prohibition be general I shall never complain of it, however decisive the regulation, or severe the penalty for infracting it. Whatever laws this government makes upon that subject, it is the duty of my countrymen to obey, and if they violate them, they must submit to the punishment such violation merits.

With respect to the two regulations which you mention; permit me to observe, that I deem the first, proceeding from your government, by arreté of the committee or decree of the convention, to be published and sent to all the ports, as a very suitable one, whether the intercourse is prohibited or not. Such a one exists in all cases with us: No vessel can land its cargo in the United States, without rendering an account thereof to the *authority* of the port; nor ought it to be done here, either in the case of cargo or passengers. With respect to the second, I have to add; that by the laws of the United States, it is already the duty of every captain of a vessel, to have a register from the government of the United States, or some consul, describing his vessel, her burden, &c. and of course the object, which is herein sought, is already provided for: For you are not bound to consider any vessel as American, unless she produces some such adequate proof that she is such. I have thus answered, Citizen, the particulars of your letter, with the same freedom with which it was written, and beg, likewise, to assure you, that if any further explanations are deemed necessary, I shall be happy to give them.

*The Commission of the Marine and the Colonies, to the Minister
Plenipotentiary of the United States of America.*

Paris, 29th Fructidor, (15th September, 1795.)

CITIZEN,

THE committee of public safety has just remitted to me a material and unequivocal proof of the perfidy which the English exercise, with the greater facility, since they appear to derive many opportunities from the fictitious expeditions from America to our ports, under American colours. Being convinced of the deference of the French nation for the friends of liberty and our own, I think, citizen, I may confidentially communicate to you that evidence of the above fact, which

has been forwarded to the government through the hands of a representative, by a trusty observer. That false manifest justifies the suspicion, which I disclosed to you in my letter of the 24th ult. and urges me, while I denounce to you that new manœuvre, to request, that you may support, with all your authority, the measures which the Republic shall take, in concert with you, to secure ourselves against the ill use which the English make of our just deference for our friends of the United States of America. I shall receive with much gratitude, the communication of the plan which you may suggest, as proper to be adopted in this case, in order that I may be able, on my part, to give the orders required by circumstances. I shall likewise be obliged to you, citizen, if you will please to send back to me the piece herein enclosed.

(Signed)

REDON.

From Mr. Monroe, to the Commissary of the Marine and Colonies.

Paris, September 19th, 1795.

I WAS favored with yours of the 29th Fructidor (15th September) and the piece enclosed, which was taken on board an English vessel, and by which I understand an attempt was made to impose her on the ports of this Republic as an American one. I am by no means surprized, that such attempts are made by the English; for in the degree that they do succeed in usurping the character of different nations (and in which usurpation, in respect to the United States, they have, unfortunately, a facility from the use of our language) do they enjoy the privileges of those nations, and diminish the embarrassments of their own. I regret, extremely, that it is not as easy for the citizens of France to distinguish between the citizens of the United States and the subjects of England, as it is for ourselves to do it: For, to us, so obvious is the difference in the physiognomy and manners of the two people, that it is as easy to distinguish an American from an Englishman, as a Frenchman from a German. It will require time, however, for foreigners to become acquainted with those distinguishing traits so observable to ourselves; and, in the interim, neither you nor we have any other means whereby to guard against such frauds, than by a vigilant superintendance of the police in our respective lines, and by severe and exemplary pu-

nishment on your part, when you detect any of the English in such fraudulent attempts.

I shall repeat my instructions to our consuls in the different ports, to make known, in all cases which fall within their knowledge, such vessels and their mariners as, being English, wish to be imposed on the officers of this Republic for Americans; so that such impostors, being detected and punished as they ought to be, others may be deterred from like attempts. For other particulars upon this head, permit me to refer you to my letter of the 13th Fructidor.

I have also been favored with yours of the 21st ultimo, and respecting which, permit me to assure you, that I shall with pleasure make to our consuls the communication intended for them, and likewise observe that they perform what it is wished they shall perform.

Circular to the Consuls of the United States in France.

Paris, September 20th, 1795.

I HAVE lately received a notice from the commissary of the marine, that attempts are made by the British to introduce their vessels into the ports of this Republic, under colour of false American papers, and requesting me to use my endeavors to counteract such abuses. If I mistake not, the orders transmitted to you by our government recommend vigilance and circumspection on this point, to prevent other nations availing themselves of an undue advantage by the use of such means. But whether that be the case or not, permit me to call your attention particularly thereto, and to request you would employ every effort in your power to detect and make known to the proper authorities, all those persons whom you may have ground to suspect of such practices, which are as injurious to our national interest and character, as they are to the interest of our ally. I inclose you a copy of certain propositions adopted by the committee of public safety, relative to the persons *deportés* from the colonies. The co-operation of our consuls being deemed useful therein, I have to request you would facilitate, as far as in your power, such measures as the government finds it expedient to use in the business in question.

*From the Committee of Public Safety, to the Minister Plenipotentiary
of the United States of America.*

Paris, 5th Thermidor, 3d Year of the Republic.

(July 23d, 1795.)

WE have received, Citizen, several complaints from French seamen at Charleston. They complain of the acts of injustice they have experienced since the beginning of the war; of the proclamations published by order of congress, against the privateers in America; of the prohibitions against the exportation of all kinds of warlike stores; of the obstacles they meet with respecting their prizes which are always disputed, seized and restored to the enemies of the Republic; of the predilection in favor of the Spaniards and English. It is undoubtedly useless to observe, that these complaints, if they are well founded, are contrary to the spirit of the treaty of 1778.

Full of confidence in the uprightness of your principles and your earnestness to prevent every thing tending to disturb the harmony which subsists between the two Republics, we do not doubt, but that you will be willing to give us a candid explanation on the subject of those complaints, and will concur with us in supporting, unimpaired, our mutual interests.

JEAN de BRY,
TREILLARD.

[No. XXII.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, October 4th, 1795.

SIR,

I HEREWITH inclose you extracts from several letters from Mr. Cathalan, our consul at Marseilles, and by which it appears, that a treaty in behalf of the United States is made with Algiers. I have likewise since conferred with Jean de Bry, of the committee of public safety, who is charged

with the American affairs. and by whom I am informed, that like intelligence is received from their consul at Algiers; so that the verity of this report cannot be doubted. By these extracts, as by the communications of the consuls to the committee, as I am advised, it is to be inferred, that the movements of Mr. Donaldson were unconnected with the French consul, and, of course, that the aid of this Republic was not extended to us in that negociation. From what cause this proceeded, if such is the fact, I cannot at present divine; but presume it will be fully explained to you by colonel Humphreys from Lisbon; where he doubtless is before this, having left Paris on his return there about three weeks since. It is, however, necessary for me to state to you what took place here in that respect, in consequence of colonel Humphreys' arrival, prior to the receipt of the above intelligence; as likewise what has been since done in consequence of that intelligence.

I was informed by Colonel Humphreys upon his arrival, that you wished to obtain the aid of this government in support of our negociations with the Barbary powers; for which purpose, indeed, he had come, and that you wished me to ask for it in case I thought it attainable. From particular considerations, and which will occur to you, I felt some embarrassment in making an application for aid of any kind at the present juncture; but as I was persuaded you had weighed them, and deemed them no obstacle, and knew that the object was equally pressed by interest and humanity, I immediately wished to bring the subject before the government, and ask for such aid; stating it was not the aid of funds that we wanted, but simply the aid of the amicable mediation and interference of this government, and which was promised by our treaty of alliance, but never performed. Colonel Humphreys and myself were agreed, that as credit for the service was to be a principal motive on the part of France for embarking in it, so it would be expedient on our part to make our arrangements such, as to give full force to that motive; since thereby she would engage in it with greater zeal, and, in consequence, with proportionably greater effect. It readily occurred, that the more direct our measures were from this quarter, and the more united and harmonious our councils were in this respect, with those of this government, the greater its confidence in us would be, and of course, the better our prospect of success. Besides, to give full effect to the influence of France in the councils of the Dey, and thereby obtain the peace at the cheapest rate, it appeared advisable; that our agent should be clothed with a French passport, and

if possible be a French citizen, and even appear to be an agent of France, exhibiting ultimately our power when necessary to conclude. By this mode it would seem as if France interfered as our friend and chiefly from motives of humanity in regard to our prisoners; whereby we should avoid inculcating any idea of wealth on our part (for wealth and imbecility are with them strong temptations for war) and which would be further supported by the long imprisonment of our people. In presenting, therefore, the subject before the government, I left the mode or manner of the negotiation open for subsequent and less formal discussion; seeking in that step a decision only upon the first point of aid, and which I was explicitly promised by the committee and the commissary.

I soon found however, on touching on the other part,—the execution, that our anticipation was correct, and that it was expected our agent would depart hence by the rout of Marseilles; shunning the countries with which this Republic was at war, and at which place the government would have a vessel provided for him to proceed to Algiers. In furtherance of the object, I was furnished by the commissary with a list of such presents as would be suitable for Algiers, &c. a literal copy of what they had last presented themselves, with a specification of what suited the Dey and his ministers in particular, and which presents, as introductory, he advised us to commit to the agent, to be presented in the commencement according to the usage of the place, and as their consul should advise.

But Colonel Humphreys observed to me, that he had left Mr. Donaldson at Alicant, with power to correspond with the French Consul at Algiers, and act in harmony with him; being further authorized, in case he was invited over by the consul, to proceed to Algiers and conclude a treaty with that power. Here then an embarrassment occurred; for it was to be feared, and for the reasons above stated, that a mission from that quarter, under the circumstances attending it, would be less likely to succeed, than if it proceeded directly hence; and, on the other hand, it was likewise to be feared, that if we adopted the latter plan and despatched a person hence, the two agents might interfere with, and embarrass, each other. Upon mature reflection, therefore, and especially as Colonel Humphreys had instructed Mr. Donaldson not to act otherwise than in strict harmony with the French consul; nor then without an assurance of success, since he, Colonel Humphreys was coming to Paris to secure the aid of this government, it seemed as if the two modes might be incorporated

into one; or rather as if we might proceed with the business here, counting upon no interference from Mr. Donaldson; providing however, in the arrangements, in case he acted before Colonel Humphreys returned, and which he concluded he would not do in such manner as to admit his falling in, incidentally, and harmonizing with the other agent; and to admit likewise, let him act as he would, provided he harmonized with the French consul, such an explanation as would be satisfactory to this government: Upon this principle therefore, and with the approbation and concurrence of Colonel Humphreys, I notified to the commissary of foreign relations, that we had committed the trust to Joel Barlow, who was a citizen of both Republics, and requested the passport of the government in his behalf, and also in behalf of Mr. Donaldson, who was eventually to be consul at Tunis and Tripoli, and whom we should associate with Mr. Barlow, to guard against accidents in the negotiation with Algiers; requesting likewise, that the committee would, in the most suitable manner, yield all the support in its power in favour of this negotiation. I stated also, that Mr. Barlow was here and would proceed by the most direct rout in the discharge of his trust, with the presents we had bought, and were buying, according to the list furnished me, for the said treaty; and was promised, that what I had asked should be strictly complied with: And thus stood the business when the accounts above referred to were received, and which I thought it my duty to communicate, that you may be accurately informed of what was done here in relation thereto. Perhaps you will ask, why Mr. Barlow or some other agent did not depart hence sooner, after the plan of sending one was agreed on? The fact is, it was impossible; for, owing to the state of things here at the time, about three or four weeks elapsed, after I applied to the government for the aid, before I obtained an answer; and after which, when it appeared expedient to purchase introductory presents, and for which purpose money was necessary, a doubt arose, and for reasons heretofore explained, whether Colonel Humphreys' draft from France would be answered, and which it was thought advisable to remove in the first instance. This consumed about three weeks more, and since which, every possible attention has been made to provide the presents, and forward the business, that circumstances would admit of.

When the news above noticed arrived, Colonel Humphreys was at Havre, on his return to Lisbon; and the first point to be decided on, was whether Mr. Barlow's offices

should cease; and secondly, what should be done in that case, with the presents already purchased. We were both of opinion, and for many reasons, that it was advisable he should notwithstanding, proceed, and take the presents with him. If any errors had been committed at Algiers, and which it is possible to rectify, we knew he would be able to do it; and we were also persuaded, that in other respects, a trip to that coast, whereby he would be enabled to gain an insight into the policy of those powers, could not otherwise than be of great advantage to the United States. Upon this principle I have asked his permission to intimate to you his willingness to accept the office of consul for Algiers, to which he has consented; and which I now do in a confidence, that no person can be found willing to accept that trust, in whom it can be so happily vested; and in which opinion I doubt not Colonel Humphreys will readily unite. Mr. Barlow leaves this place upon the plan above stated, in the course of a few days, and with the presents in question; and for further particulars respecting this interesting concern, I beg to refer you to Colonel Humphreys, who will, doubtless, be more particular in his details.

Since my last Pichegru has also crossed the Rhine, and taken Manheim, and in consequence whereof, the siege is more closely pressed on Mayence. Since my last too, the Belgic is united by a decree to this Republic; in addition to which the mission of Mr. Monneron to England, ostensibly for an exchange of prisoners, but perhaps for other objects, is the only circumstance which merits attention.

From the Minister Plenipotentiary of the United States of America, to the Commissary of Foreign Relations.

Paris, September 1st, 1795.

HAVING at length completed the arrangements which appeared to us necessary, with respect to funds, presents, &c. for prosecuting our treaties with Algiers, Tunis and Tripoli, so as to be in readiness to dispatch the persons to whom the negociation with each is intrusted,—I take the liberty to communicate the same to you, that the aid of this Republic may be yielded us in our efforts to accommodate this very important object. As soon, therefore, as your instructions are prepared for your agent, or agents with those regencies, with necessary passports for the protection of those whom we send,

the latter will depart hence in discharge of the trust reposed in them.

As I have heretofore mentioned to you, that the only aid we wanted from this Republic was that of its friendly mediation and influence with those powers, and have also apprized you of the extent of our funds, and the kind of treaties we wish to make; being simply treaties of peace: It only remains for me to mention the persons to whom the negotiation is to be committed on our part, and with whom your agent will have to co-operate; as likewise those who must be covered by your passports. I think proper therefore now to inform you, that we have appointed Mr. Hitchborn,* at present in Paris, with full powers to commence and conclude such treaties, and who will set out in discharge of that trust, as soon as he is favoured with your instructions for your agent there. But as it would not be in his power to proceed further than Algiers, and it is equally necessary to form such treaties with Tunis and Tripoli, we have thought it advisable to associate with him Mr. Donaldson, who will, after the treaty with Algiers is completed, pursue the business with those other regencies alone, and who has from our government the appointment of consul to reside with the latter, in case treaties are made with them. We wish you therefore, to apprize your agent accordingly, and to instruct him to co-operate with both, or either of those citizens; as both or either may be present, and circumstances require. For these two, as *agents*, we wish the protection of your passports, as likewise for citizen Andrews, who will leave this in company with Citizen Hitchborn, particularly charged with the care of the presents, and for ———, who goes as servant to Citizen Hitchborn; so that we wish passports for four persons, in the characters above described.

As we are inclined to think, as well from past difficulties as more recent advices, that the success of the mission, if it does succeed, will depend principally, if not altogether, upon the friendly aid we shall derive from this Republic, so we think it advisable that the United States should appear to have as little to do in the negotiation as possible; or, in other words, that they should not appear at all in it, until it be necessary to conclude: For if their agents are known to be their agents, or rather if they are not considered as your agents, with our powers, it will follow that the Dey will immediately come to them to treat with them on the part of the United States, and

* He declined, and Mr. Barlow was then appointed in his stead.

of course your mediation and influence will be lost. It will therefore be advisable to keep the United States as much out of view as possible; for the purpose of giving full weight to your influence and the assistance of France there. I mention this that you may give a correspondent instruction, if you approve thereof, to your agent; and particularly instruct him in rendering us all possible aid, to concert his measures in strict harmony with our agents.

It will likewise be expedient for you to leave your agent ignorant of the extent of our funds, referring him to our agents for information upon that point, and for reasons that were before explained. One other difficulty only yet remains to be provided for. Our agent will probably embark from Alicant, and of course must carry the introductory presents into Spain. It will be improper that these should be searched, or known to that government: Can you protect them by a passport or otherwise, from such search; as upon that, in some measure, will the dispatch, if not the success, of the mission depend.

I have only to add, that as all the preparations on our part are complete, we shall be happy to have those on yours as soon as possible.

From Mr. Monroe, to Colonel Humphreys.

Paris, October 3d, 1795.

By the inclosed extracts, if what they state is correct, it seems as if Mr. Donaldson had acted from himself, and without the aid of the French consul. If this be the case, he will doubtless explain to you the cause. The price is higher than I expected it would have been. I could not call on Jean de Bry; but Mr. Purviance did, the day before yesterday, on this business in my name, and was informed, that he had heard nothing from Herculais on the subject, and that the only instructions heretofore sent him (being, indeed, those only which they could send him) were, to use the influence of this Republic with the Dey, to obtain a suspension of hostilities, on his part, against the United States. However, this you will understand better when you arrive at Lisbon. I shall notify the event, or rather the report, to this government, that it may, at least for the present, take no further measure in it.

From Mr. Monroe, to the Chargé d'Affaires of Malta.

Paris, October 4th, 1795.

I HAVE just received a letter from our consul at Mar-
seilles, informing me that the United States had concluded a
peace with the Regency of Algiers, and of which I send you an
extract. I hear likewise, that the committee of public safety
has received the like intelligence from their consul at Algiers;
so that I conclude the communication is true; especially as I
know the United States have sought for some years past to
make a peace with those powers, in preference to any other
arrangement; and to which consideration it was I presume
owing, that our secretary of state declined instructing me how
to answer your proposition respecting those powers, until after
an attempt to obtain peace should be made and fail. I hasten
to give you the communication above, in the moment, and as
I have received it; and shall be happy hereafter to apprise you
of whatever I may hear relative to the same. Permit me like-
wise to assure you, that if it is the wish of your government to
obtain lands within the United States, otherwise than in the
mode heretofore proposed, I shall be happy to give you all the
information and facility in my power, in pursuing that object.

From the Secretary of State of the United States, to Mr. Monroe.

June 1st, 1795.

SIR,

THE uneasiness which has been discovered by the
French Republic, in reference to our late treaty with Great
Britain; the comments which you have made upon your in-
structions; and the anxiety which forever leads the Pre-
sident to maintain an honorable interchange of friendship be-
tween the United States and France, have determined me to
review our conduct from the commencement of the present
war. In it, I shall unreservedly expose the policy of the exe-
cutive, as it may be collected from the documents of this de-
partment; that the imputation of an alienation from France,
so systematically and unremittingly cast upon our government,
may lose its effect, wheresoever that policy shall be known.

There never was a moment, when the president hesitated upon these truths: That the ancient despotism of France was degrading to human nature; that the people were the sole masters of their own fortune; free to overturn their old establishments, and substitute new; and that any other nation, which should presume to dictate a letter in their constitution, was an usurper: But as an administration of ordinary prudence will not enter upon a momentous career, without combining the past and present state of things, and, from a comparison of both, forming a judgment of the future,—it will be necessary to follow the intelligence possessed by the executive in relation to the great events occurring from time to time in France.

With the fate of the king we could have no political concern, farther than as it might amount to an indication of the will of the French people. That will, it was interesting to us to understand; because, being once *fixed*, whether for the constitution of 1791, or one more democratic, it would have given us the assurance, of which we were bound by public duty to be in quest,—a settled and stable order of things.

In this sense, Louis the sixteenth attracted our notice. In him was beholden a prince, fallen from the throne of his ancestors, receiving with apparent cordiality, in lieu of absolute power, the title of restorer of liberty,—but distrusted by every man. His flight cut all confidence asunder; and it was impossible that true reconciliation should ever grow again. The revolution of the 10th August, 1792, was the unavoidable sequel of what had preceded, and proclaimed abroad that the constitution was short-lived.

Immediately upon this event ‘only one opinion prevailed as to the badness of the constitution.’ No plan of a new constitution was even reported for a considerable time afterwards; none was adopted for many months: At this instant the proposed permanent system is locked up from operation; but what the permanent system will really be is a difficulty which few can yet solve.

If, instead of searching for the will of the people, the politics of the reigning parties had been consulted, how transitory were they? Administrations were hourly passing away. Every member of government was engaged in the defence of himself, or the attack of his neighbour. The Jacobins were busy in exciting tumults. The convention were *privately* calling for guards to protect themselves from the people. The very ministers declared, that the national assembly could be brought into no kind of consistency. A national bankruptcy, and a difficulty of supplies, were too much to be apprehended,

Strong symptoms of anarchy ; the shedding of blood ; and information that the question between absolute monarchy and a republic must be decided by force, were prophetic of some great catastrophe.

Examine next the *external* relations of France. The foreign ministers, except the minister of the United States, had fled. The alliances against her were multiplying ; the enemy numerous ; their object, to erect a military government ; the empire of Great Britain on the sea uncontroled ; the French army undisciplined ; and the affections of the French people not decisively directed to any specific object.

If the United States had panted for war, as much as ancient Rome ; if their armies had been as effective as those of Prussia ; if their coffers had been full, and their debts annihilated,—even then peace was too precious to be risked for the most flattering issue of war.

As every political motive dissuaded us from war ; so were we without an obligation to enter into it as a party. No *casus fœderis* had arisen upon our alliance with France : We had not, nor have we yet, been required to execute the guarantee ; and therefore it was unnecessary to speak concerning it.

Had we indulged our sensibility for the crisis hanging over France, and associated our injuries with hers, the rashness of the step would have been proverbial. An infant country ; deep in debt ; necessitated to borrow in Europe ; without manufactures ; without a land or naval force ; without a competency of arms or ammunition ; with a commerce closely connected beyond the Atlantic ; with a certainty of enhancing the price of foreign productions, and diminishing that of our own ; with a constitution little more than four years old, in a state of probation, and not exempt from foes ;—such a country can have no greater curse in store for her, than war. That peace was our policy has been admitted by congress ; by the people, and by France herself. France could not have thought otherwise : For had we been active, she would have been deprived of our provisions, except by snatches ; and our payments to her must have been suspended.

The proclamation of neutrality, therefore, which was our first important act, after the eruption of the war, deserved to be the model of our subsequent conduct.

Another public step of the president, although it departed not from the line prescribed by the proclamation, was no small indication of his being resolved to cultivate a friendship with the new Republic. Mr. Genet came over as minister, upon

the death of Louis the sixteenth; he was the *protégé* of a party, whose downfall had been predicted from Paris in August, 1792; and it was not improbable, that some of the neutral powers would endeavor to inculcate an opinion, that our treaties with France had expired with her chief magistrate, who had been the organ of the general will, when they were formed. But what said the President? Did he waver in recognizing them, as compacts with *the French nation*? Did he affect delays? Was he eager to seize a pretext from the disembarking of Mr. Genet near the southern extreme of our continent; his distribution of privateering commissions, as he travelled, and his countenance of the French consuls in arrogating a judicial authority over prizes in the United States? No, sir: Mr. Genet was received without a previous enquiry; without a qualification or condition,—immediately; and with an indifference to the murmurs of the belligerent powers. For our minister had been before instructed, that ‘it accorded with our principles to acknowledge any government to be rightful, which is formed by the will of the nation substantially declared.’

A few days brought forth a third important circumstance, in our relation to France. He ‘communicated the decree of the national convention, of February 19th, 1793, authorizing the French executive to propose a treaty with us on such liberal principles as might strengthen the bonds of good will, which unite the two nations; and informed us in a letter of May 23d, 1793, that he was authorized to treat accordingly.’

I really doubt, whether, upon this head, the French Republic, if left to herself, would utter one remark. But party, which, if it be not abolished, must be the bane of the Union, fights under the popular banners of France, expecting to overthrow its adversary by propagating a belief that she has been ill-treated. These calumnies cannot be more effectually faced, than by examining the commercial relations already subsisting by treaty between the United States and France.

By treaty, the trade of the two countries was placed, among other things, upon the following grounds.

1st. Both parties ‘engage mutually not to grant any particular favour to other nations, in respect of commerce and navigation, which shall not *immediately* become common to the other party, who shall enjoy the same favour freely, if the concession was freely made, or on allowing the same compensation, if the concession was conditional.’

2d. The French were to pay in our ports, &c. no other or greater duties or imposts than those which the nations most favoured are, or shall be, obliged to pay, and shall enjoy all the privileges, in trade, navigation and commerce, whether in passing from one port in the United States to another, or in going to and from the same, from and to any part of the world, which the said nations do or shall enjoy.

3d. The Americans were to enjoy the same privileges in the French ports in Europe. In this is included an exemption of one hundred sols per ton, established in France on foreign ships: Unless their ships shall load with the merchandize of France for another port in the same dominion; they are then to pay the duty above mentioned so long as other nations, the most favoured, shall be obliged to pay it; the United States being at liberty to establish an equivalent duty in the same case.

4th. 'Free ships were to give freedom to goods.'

5th. American or French property on board of enemy ships was confiscable.

6th. Regulations were made for contraband, and the carrying on of war by either against its enemies, so as to prevent injury to the other.

7th. The Americans were to have one or more free ports granted to them in Europe, for bringing and disposing of their merchandize; and the free ports, which had been, at the date of the treaty (May 6th, 1787) and were then, open in the French islands of America were to be continued to the Americans.

Mr. Jefferson, in his report to congress, on the state of our commerce and navigation, sums up the important restrictions proceeding from France, to be :

1st. That as far as the summer of 1792, our rice was heavily dutied in France.

2d. That our fish and salted provisions were under prohibitory duties in France.

3d. That our vessels were denied naturalization in France.

4th. That our salted pork and bread-stuff (except maize) were received under temporary laws only in the French West-Indies, and our salt fish paid there a weighty duty: And

5th. That our own carriage of our own tobacco was heavily dutied in France.

The subjoined extracts from letters of this department to our minister in Paris, on the 23d of January; 10th of March; 28th of April; 16th of June, 1792; and on the 12th of

March, 1793,—bespeak our earnestness for an extension of our commercial treaty with France.

EXTRACTS.

January 23d. ‘ I feel myself particularly bound to recommend, as the most important of your charges, the patronage of our commerce and the extension of its privileges, both in France and her colonies; but more especially the latter.’

March 10th. ‘ We had expected ere this, that in consequence of the recommendation of their predecessors, some overtures would have been made to us on the subject of a treaty of commerce; an authentic copy of the recommendation was delivered, but nothing said about carrying it into effect: Perhaps they expect that we should declare our readiness to meet them on the ground of treaty; if they do, we have no hesitation to declare it: In the mean time, if the present communications produce any sensation, perhaps it may furnish a good occasion to endeavour to have matters replaced in statu quo; by repealing the late innovations, as to our ships, tobacco and whale oil. It is right that things should be on their ancient footing at opening the treaty.’

April 28th. ‘ I hope that these manifestations of friendly dispositions towards that country, will induce them to repeal the very obnoxious laws respecting our commerce, which were passed by the preceding national assembly. The present session of congress will pass over without any other notice of them than the friendly preferences before mentioned; but if these should not produce a retaliation of good on their part, a retaliation of evil must follow on ours: It will be impossible to defer, longer than the next session of congress, some counter regulations for the protection of our navigation and commerce. I must intreat you, therefore, to avail yourself of every occasion of friendly remonstrance on this subject. If they wish an equal and cordial treaty with us, we are ready to enter into it. We would wish that this could be the scene of negociation, from considerations suggested by the nature of our government, which will readily occur to you.’

June 16th. ‘ With respect to the particular objects of commerce susceptible of being placed on a better footing, on which you ask my ideas,—they will shew themselves by the enclosed table of the situation of our commerce with France and England. That with France is stated as it stood at the time I left that country, when the only objects

whereon change was still desirable, were those of salted provisions, tobacco and tar, pitch and turpentine: The first was in negotiation when I came away, and was pursued by Mr. Short with prospects of success, till their general tariff so unexpectedly deranged our commerce with them as to other articles. Our commerce with their West Indies had never admitted amelioration during my stay in France. The temper of that period did not allow even the essay, and it was as much as we could do to hold the ground given us by the marshal de Castries' arrêt, admitting us to their colonies with salted provisions, &c. As to both these branches of commerce, to wit, with France and her colonies, we have hoped they would pursue their own proposition of arranging them by treaty, and that we could draw that treaty to this place. There is no other where the dependence of their colonies on our states for their prosperity is so obvious as here; nor where their negociator would feel it so much. But it would be imprudent to leave to the uncertain issue of such a treaty, the re-establishment of our commerce with France, on the footing on which it was at the beginning of their revolution. That treaty may be long on the anvil; in the mean time, we cannot submit to the late innovations without taking measures to do justice to our own navigation. This object, therefore, is particularly recommended to you; while you will also be availing yourself of every opportunity, which may arise of benefiting our commerce in any other part. I am in hopes you will have found the moment favourable on your arrival in France, when Mr. Claviere was in the ministry, and the dispositions of the national assembly favourable to the ministers.'

March 12th, 1793. 'Mutual good offices. mutual affection and similar principles of government, seem to destine the two nations for the most intimate communion: and I cannot too much press it on you to improve every opportunity which may occur in the changeable scenes which are passing, and to seize them as they occur, for placing our commerce with that nation and its dependencies; on the freest and most encouraging footing possible.'

What were the corresponding efforts of our minister relative to a treaty of commerce? In June 1792, he was intreated by Dumourier, then minister, to defer it until he should return from the frontiers; who intimated at the same time, that France stood in need of no alliances; and that he was against all treaties other than those of commerce. In July, 1792, our minister had 'repeatedly called the minister's

‘ attention to the obnoxious acts of the (then) late assembly,
 ‘ and to their proposition of a new commercial treaty. The
 ‘ reply was, that for himself he would be glad to settle every
 ‘ thing to our minister’s satisfaction; but that his ministerial
 ‘ existence was too precarious to undertake any extensive plan;
 ‘ that the attention of government was turned too strongly
 ‘ towards itself (in the present moment) to think of its *exterior*
 ‘ *interests*; and that the assembly, at open war with the ex-
 ‘ cutive, would certainly reject whatever should be now pre-
 ‘ sented to them.’ The following extracts of our minister’s
 letter to Mr. Chambonas on the 9th of July, 1792, and of
 his answer on the 23d of the same month, shew the measures
 of our government for the improvement of the treaty.

[TRANSLATION.]

‘ I should, however, fail in my duty towards my nation, Sir,
 ‘ and I should offer but a feeble testimony of the attachment,
 ‘ which I have for so many years vowed to yours, if I were to
 ‘ dissimulate the discontent, which the decrees of the consti-
 ‘ tuent assembly, infringing the system of commerce esta-
 ‘ blished between France and the United States, before the
 ‘ year 1789, have excited in America. I forego all remarks
 ‘ on that subject, because I leave it to your wisdom and the
 ‘ sentiments of your nation; and I dare believe, that even if
 ‘ it concerned merely its own interests, the national assembly
 ‘ would no longer suffer regulations to exist, which fall still
 ‘ harder upon the French consumers, than they injure the
 ‘ American traders. There is another object, Sir, to which
 ‘ you will, no doubt, pay all the attention that its importance
 ‘ deserves. The constituent assembly expressed its desire,
 ‘ that the king should negociate a new commercial treaty with
 ‘ America. It has been communicated to the President of
 ‘ the United States, by the minister plenipotentiary of his
 ‘ majesty. But this project has until now been without ef-
 ‘ fect. I am directed to assure you, Sir, that the United
 ‘ States are ready to receive with real pleasure any overtures
 ‘ on that subject, which shall be made them, and that they
 ‘ wish to establish that treaty on bases, just, solid and recip-
 ‘ rocaly useful to both nations. The minister plenipotentiary
 ‘ of France at Philadelphia, has the best opportunity of weigh-
 ‘ ing its advantages, and I dare assure you before hand, that
 ‘ if he is charged by the king with that negociation, he
 ‘ will meet, on our part, the most friendly dispositions. You
 ‘ will give me very great pleasure, Sir, when you shall please

‘ to authorise me to write that he is entrusted with that business’

July 23^d 1792. ‘ I shall likewise lay before them, the desire which the American government expresses, to cement the union of the two people, by a new treaty of commerce, and I shall immediately take the orders of the king for commencing that important negociation. I do not doubt, but it will soon be brought to a happy conclusion, since the two governments are equally desirous of establishing the new treaty on the basis of the strictest justice, and consequently of the reciprocal advantage of both people.’

On the 13th of February, 1793, we were informed by our minister, that he having been instructed to transfer the negotiation of a new treaty of commerce to America, the thing wished was done; and that we may treat in America.

Mr. Genet’s abovementioned letter of the 23^d of May, 1793, inclosing the decree of February 19th, 1793, concluded in these words. ‘ The obstacles raised with intentions hostile to liberty, by the perfidious ministers of despotism; the obstacles, whose object was to stop the rapid progress of the commerce of the Americans, and the extension of their principles, exist no more. The French Republic, seeing in them but brothers, has opened to them, by the decrees now enclosed, all her ports in the two worlds; has granted them all the favors which her own citizens enjoy in her vast possessions; has invited them to participate the benefits of her navigation, in granting to their vessels the same rights as to her own, and has charged me to propose to your government, to establish in a true family compact, that is in a national compact, the liberal and fraternal basis, on which she wishes to see raised the commercial and political system of two people, all whose interests are confounded.

‘ I am invested, sir, with the powers necessary to undertake this important negociation, of which the sad annals of humanity, offer no example before the brilliant era at length opening on it.’

I find no answer to this letter from Mr. Jefferson; and he notices the steps which were taken in consequence of it only in his letter to Mr. Morris, on the 23^d of August, 1793, thus: ‘ The senate being then (23^d May, 1793) in recess, and not to meet again till the fall, I apprized Mr. Genet, that the *participation*, in matters of treaty, given by the constitution to that branch of our government, would, of course, delay any *definitive* answer to his friendly proposition. As he was

‘ sensible of this circumstance, the matter has been *understood* to lie over, till the meeting of the senate.’

Upon this conduct of Mr. Jefferson, many invidious comments have been circulated; and it has been perverted into a testimony of our evasion, and of our disaffection to France, with a design to foment dissensions between the two Republics. Your exertions will doubtless frustrate the evil purpose.

Long had we been soliciting from France a revision of the treaty of commerce; suffering, in the mean time, severities from her commercial regulations. Can any rational man believe, when he reads the preceding confidential letters from the department of state to our minister in Paris, that they were fabricated to deceive? Deception must have been gratuitous, — without an object and therefore too absurd to be dwelt upon. Upon the supposition of sincerity on our part, in the profession of a desire to improve the treaty, what culpable cause can be assigned for repelling an immediate negotiation? Were we looking for an adverse stroke to the affairs of France, in order to squeeze out greater commercial indulgencies? We have been charged by Great Britain with too lively a sympathy with her successes. Were we distrustful of the issue of the contest? There were few men, who were not divided in their speculative opinions upon this occasion. But the president came to an instantaneous decision, by receiving Mr. Genet in the face of the war with Great Britain; recognizing the treaties, continuing to pay our debt to France, and accommodating her with money by anticipation. Had the cause of republicanism any connection with a change in the treaty of commerce? I cannot discover it; or if it had, whosoever shall deny it to be espoused by our government, or shall insinuate a leaning towards England, is no less base, than unfounded in his calumnies. In short, it is absolutely incomprehensible, why the executive should, from a policy which it will not avow, put off a treaty, for the reforming of old *commercial* stipulations, when every melioration of our trade was so closely allied with the expectations of profit to the husbandman and merchant, created by our neutrality.

There was no such evasion; and the agreement or understanding between Mr. Jefferson and Mr. Genet, cannot be wrought into such a shape. Being without documents, containing the whole of their conversation, I have no other clue to it, than the letter of August 23d, 1793, the nature of the subject, and the circumstances of the period, as explanatory of the postponement of the negotiation.

It is of no consequence to enquire, whether it was or was not more agreeable to Mr. Genet, that the negotiation should lie over; when he heard, that a *definitive* answer must be delayed, until the meeting of the senate. Notwithstanding it has the appearance of being the voluntary act of both; especially as Mr. Genet suffered it to rest upon an oral discourse, and never had, nor asked, a written answer; yet let it be conceded to have been, on the part of Mr. Jefferson, an act of the government, and on the part of Mr. Genet, a respectful submission.

What Mr. Jefferson asserted is true; because the president can *make* treaties, *only* with the advice and consent of the senate. A *definitive* answer was therefore necessarily deferred. He did not alledge, that *intermediate* discussions could not take place; nor indeed does it appear, that either of those gentlemen turned their attention to the *preliminary* negotiation; which might have been opened before the assembling of the senate.

But if Mr. Genet had even pressed an immediate negotiation, weighty obstacles, very different from *evasion*, or alienation from France, stood in the way. 1. 'On the declaration of war between France and England, the United States being at peace with both, their situation was so new and unexperienced by themselves,' that it was extremely desirable to exclude any business, which would absorb much time, and might be postponed; in order that the executive might be unembarrassed in its superintendance of our neutrality. Although the labours of my predecessor, from the commencement of the war to the early part of September, 1793, have been seen by the world, yet cannot they judge of the perplexities and researches which were the foundation of the documents published, and which hourly occupied not only the president himself, but those officers also, who were around him. History had forewarned us, that, as a neutral nation, encompassed by the ministers of the belligerent powers, inflamed with a jealousy of the public functionaries, not a day would pass without a complaint, a demand, a suspicion, and a thousand temptations to irritability. Piles of papers, verifying those predictions, are now before my eyes. 2. It was not to be supposed, that a *new* treaty of commerce could be entered into without much reflection. In this view, every hour gained was beneficial. 3. The power of the president to authorize the secretary of state, or indeed any other person, to digest the matter of a treaty, has been recognized in practice in several forms; one of which is barely to nominate, with the advice and con-

sent of the senate, and occasionally to consult them. The last was the course which was observed, in the only treaty which has been negotiated at the seat of government, the treaty with the Creek indians at New York, in 1790. The senate being on the spot, and therefore convenient to the negotiation, were asked, as the subject was passing, whether they would ratify certain clauses, if inserted in the treaty. In the re-adjustment of the treaty of commerce with France, it was probably wished to repeat the same measure.

What would have been gained by France, by precipitating the negotiation? The preliminary discussions might, perhaps, have been closed a few months sooner on the side of the president; but it is entirely uncertain, whether the affair would have been expedited by any step, so much as by consulting the senate upon points of particular magnitude, before the *whole* work was submitted to them. This is among the advantages which may be embraced in a negotiation in the United States, and is unattainable in a negotiation elsewhere. However, if a commencement had been made, I question whether from the time which is indispensable for so grand a transaction, and the unavoidable interruption incident to the new state of things, we should not have been obliged to interrupt the progress, upon a plea similar to that of the French ministry, that we were too much employed in steering clear of the war, to attend for the present to the remoulding of the treaty.

Had the executive been indisposed to the treaty, why did he in a manner pledge himself to negotiate when the senate should meet? Why was our minister in Paris instructed, on the 23d of August, 1793, 'To explain to the executive of France this delay; which has prevented, as yet, our formal accession to their proposition to treat; to assure them, that the president will meet them, with the most friendly dispositions, on the grounds of treaty proposed by the national convention, as soon as he can do it in the forms of the constitution; and of course to suggest, for this purpose, that the powers of Mr. Genet be renewed to his successor.' 'A formal accession to the proposition to treat,' and a negotiation 'in the forms of the constitution,' appear to be still preferred to *informal* discussions, for the reasons already assigned. It is impossible to look into this subject, without remarking, that other principles may be conceived, upon which the executive might have refused to treat immediately; but which do not appear to have influenced his decision.

His attention must have been arrested by the diction of Mr. Genet's overtures. The President and the French Republic had hitherto agitated a change in *commercial* regulations only; when Mr. Genet announces a desire to modify the *political* connection also. The precise meaning of the term *political*, was not very obvious; though the most natural interpretation was, that the *political* relation, established by the treaty of alliance, was proposed to be revised.

The movements which have been noticed of Mr. Genet, before his arrival at Philadelphia from Charleston, were in perfect unison with this interpretation. The very decree of the 19th of February, 1793, liberal as it was in its language, manifested that the recent and existing war was a chief cause in dictating the concessions: For the French colonies could not be fed without supplies from the United States; and the *suspension* of the law of May 15th, 1791, which had inhibited the Americans from introducing, selling and *arming* their vessels in France, and from enjoying all the privileges allowed to those built in the ship yards of the Republic, was calculated to convert our ships into French privateers.

To confirm the real views of the executive council of France in the regeneration of the treaty, recollect these passages in Mr. Genet's instructions.

‘ That the executive council are disposed to set on foot a
 ‘ negociation upon those foundations, and that they do not
 ‘ know but that such a treaty admits a latitude still more ex-
 ‘ tensive, in becoming a national agreement, in which two
 ‘ *great* people shall suspend their commercial and political in-
 ‘ terests and establish a mutual understanding, to befriend the
 ‘ Empire of liberty, wherever it can be embraced; to guar-
 ‘ anty the sovereignty of the people, and punish those powers
 ‘ who still keep up an exclusive colonial and commercial sys-
 ‘ tem, by declaring that their vessels shall not be received in
 ‘ the ports of the contracting parties. Such a pact, which
 ‘ the people of France will support with all the energy which
 ‘ distinguishes them, and of which they have already given so
 ‘ many proofs, will quickly contribute to the general eman-
 ‘ cipation of the new world. However vast this project may
 ‘ be, it will not be difficult to execute, if the Americans de-
 ‘ termine on it; and it is to convince them of its practicabi-
 ‘ lity that Citizen *Genet* must direct all his attention: For,
 ‘ besides the advantages which humanity in general will
 ‘ draw from the success of such a negociation, we have at this
 ‘ moment a particular interest in taking steps to act efficaci-
 ‘ ously against England and Spain; if, as every thing an-

nounces, these powers attack us from hatred to our principles; if the English ministers, instead of sharing in the glory of France, instead of considering that our liberty, as well as that of those people whose chains we have broken, forever establishes that of their own country, suffer themselves to be influenced by our enemies, and by those to the liberty of mankind, and embark with every tyrant against that cause which we are defending. The military preparations making in Great Britain become every day more and more serious, and have an intimate connection with those of Spain. The friendship which reigns between the ministers of the last power and those of St. James' proves it; and in this situation of affairs we ought to excite, by all possible means, the zeal of the Americans, who are as much interested as ourselves, in disconcerting the destructive projects of *George the third*; in which they are probably an object. Their own safety still depends on ours, and if we fail they will sooner or later fall under the iron rod of Great Britain. The executive council has room to believe, that these reasons, in addition to the great commercial advantages which we are disposed to concede to the United States, will determine their government to adhere to all that *Citizen Genet* shall propose to them on our part. As it is possible, however, that the false representations which have been made to congress of the situation of our internal affairs; of the state of our maritime force; of our finances, and especially of the storms with which we are threatened, may make her ministers, in the negotiations which *Citizen Genet* is entrusted to open, adopt a timid and wavering conduct, the executive council charges him, in expectation that the American government will finally determine to make a common cause with us, to take such steps as will appear to him exigencies may require, to serve the cause of liberty and the freedom of the people.'

The project, therefore, of a treaty on the basis of Mr. Genet's propositions, ought to have been well explored before the first advance. To assent to them, if it would not have been a departure from neutrality, would at least have magnified the suspicion of our faith, without a confidence in which that neutrality must always be insecure: To reject them was to incur discontent, possibly a breach with our ally. The councils of nations ought to be superior to the passions which drive individuals. *Permanent* good being the polar star of the former, they will often have to encounter the impetue-

sity of the latter, who substitute occasional feelings for sound policy.

Admitting that the non-establishment of a constitution, and the rapid successions in the administrative bodies, could not weaken an agreement, once fixed, even under the pressure of war, there was no probability that the party, whose missionary Mr. Genet was, would much longer tread the stage; nor any security, that his overtures would equally please those who should rise upon the ruins of his friends. We knew from letters; that as far back as August, 1792, the movers of the revolution on the 10th of that month were sooner or later destined to be victims: That in January, 1793, they were conscious of the downfall which awaited them: That in March, 1793, an insurrection was brewing for the destruction of the Gironde; and that the revolutionary tribunal, vast and unbounded in its domination, had been erected. Was this, then, a season for 'modifying the *political* connection;' when we might have drawn hostility upon our heads, by betraying a spirit not impartial, and by taking measures, which amid the fluctuations in the leaders of the French politics, might not have been sanctioned? And what did actually happen? The conduct of the Robespierrian faction was directly the reverse of the Brissotine: The one encouraged, the other abolished, private trade. For the evidence of this fact, I refer you to your own knowledge; to the vexations of our commerce; to the decrees which violated our treaty; and to the decree of October, 1793, which took all trade into the hands of government. Nor can I omit the demonstration of a general instability, as it was delivered in a late report of the five committees.

'Let us be persuaded, and let us proclaim it openly; it is to that perpetual change that all our evils are owing. Our republican annals do not yet include three years, and by the multiplicity of events, twenty centuries appear required to contain them. Revolutions have followed revolutions; men, things, events and ideas,—all have changed; every thing changes yet, and in this continual ebb and flow of opposite movements, in vain would the government pretend to that confidence which can only be the result of a steady and wise conduct, and of a constant attachment to principles.

'Commerce necessarily disappeared through this astonishing succession of contrarieties; and in a country, where individuals, incapacitated for making any sure calculations, see around them nothing but a wide prospect of changes.

‘ Credit is a tender plant which needs gentle and regular winds, and cannot grow in a tempestuous clime, or soil often disturbed.

‘ It is time we should put a period to the reign of uncertainties, and fix invariably the principles of justice, equity and loyalty, which should be the guides of our conduct. Let us hasten to subject the internal administration to a regular system: Let us especially take care that no measure ever gives rise to fears concerning the solidity of the mortgage of our assignats.

‘ When the government, steady in its march, shall have shewn the real end they aim at; when it shall have rendered an account to itself and to others, of the system it intends to adopt; when the convention, dismissing those unfortunate bickerings which have too often impeded their progress, shall attend solely to the happiness of the people; when they shall not cease to reject with indignation all measures which can infringe, in the least degree, the principles of justice and good faith which should direct them;—then all alarms will be at an end, and the restoration of the finances, of credit and of commerce, may be undertaken with assurance of success.’

Why the subject was not resumed with Mr. Genet, is well known to every body, who has heard of his excesses, and our declaration to the French Republic, that we should expect his successor to be charged with similar powers. His letter of the 30th of September, 1793, written after the application for his recal was announced to him, was prevented, by the malady of Philadelphia, from being received by this department, until the 5th of November, 1793. We were then counting upon a return of the vessel sent to France on that errand. Congress met in December, 1793. Our minister’s letter, notifying his recal, came to hand January 14th, 1794; and Mr. Fauchet actually replaced him on the 21st of February, 1794. Let me observe, however, in passing from Mr. Genet to Mr. Fauchet; that his threat to withdraw the privileges in the decree of March 26th, 1793, and the decree itself, are strong symptoms of the design of the negotiation being more than one merely commercial. For the different altercations between him and Mr. Jefferson I refer you to the printed correspondence.

Mr. Fauchet demanded the arrest of Mr. Genet, for punishment. Our co-operation was refused upon reasons of law and magnanimity.

A bill passed, at his instance, for relief of the vessels which had taken refuge in the ports of the United States.

We have advanced money faster than was due; and full as fast as prudence in respect to our own wants would permit.

The stoppage of the *Camilla*, a provision vessel of the French Republic, was the effect of the embargo, which operated equally on all.

Our minister was recalled as he desired. Mr. Fauchet complained of British vessels being suffered to depart, during the embargo, with Frenchmen who meant to act against their country in the West-Indies. Occasional relaxations of the embargo were made in favour of all nations; French, English, &c. In the particular case complained of, the passports were supposed to be granted to American bottoms; for the humane purpose of returning to the Islands some of the unhappy French fugitives from thence; and one of them, given to a vessel at his instance, exported a large quantity of powder, doubtless without his privity.

The government suppressed the prosecution against consul Juteau of Boston, as Mr Fauchet desired. Whatever irritation may have been occasioned by the attorney of the district was owing to no instruction from the President.

The demand for dismantling Cooper's vessel was inevitable; as she had been fitted out in our ports; and wheresoever, in any case, restitution of vessels was required from us, the rules of our neutrality fully justified it.

We restored the ship *William of Glasgow*, and the damages during her detention have been assured to the agent of the captors.

The steps adopted, and promised, for executing the consular convention, in the apprehension of deserters, are as much as could be done or expected.

The government has, indeed, differed from Mr. Fauchet, in the construction of the treaty; not holding themselves bound to exclude British ships of war, except when *they came in with prizes*.

The general executive has given every instruction in his power, to prevent French prizes to British vessels coming into our ports. Mr. Fauchet has expressly by letter approved our conduct in one instance. But this subject is fully detailed in my letter of the 29th ultimo, a copy of which is now forwarded to you.

I presume, that the dissatisfaction at the arms taken from the *Favourite* in New-York, and the omission to salute the French ship of war, have been completely expiated.

The tonnage duty was remitted to French vessels, which had been injured by the British.

It was impossible to rescue from the law William Talbot, who was charged with being a citizen of the United States, and accepting a privateering commission from France.

These are the most material of Mr. Fauchet's transactions with the government; except, indeed, the abolition of the embargo; the whole of which business you witnessed yourself, and can shew to have arisen from very different motives, than those of disregard to France.

Although it was requested, that Mr. Genet's successor should be charged with commercial powers; yet is it not known or believed that he brought any. No writing from him announced it: Nor yet any conversation with me; unless, indeed, in November or December last; when Macpherson's blues were coming into town, and he and I were together looking out at them from his eastern window. He then made some casual observations respecting Mr. Jay's negotiation, and said something indefinite as to our treaty of commerce. My answer was; that I should be ready to receive his overtures. It would have been indelicate to ask him formally whether he had such powers; but a distant hint was given by me to him, two or three months after his arrival, upon the subject; and from his reply, I did not infer, whether he had or had not them. I am rather disposed to conclude, that he had them not; because he was appointed minister during the reign of Robespierre; who, as we have seen, almost extinguished commerce; and when a decree was in force assuming into the hands of government all trade.

If Mr. Fauchet had been ready, we should have proceeded sincerely and without procrastination.

If then, in the circumstances attending the proposition of a commercial treaty from Mr. Genet, or in the conduct of the United States towards France since, nothing improper can be found, we ought to consider, whether in those of the late treaty with Great Britain a source of blame can be detected.

The message, in which the president nominated Mr. Jay a s envoy extraordinary to his Britannic majesty, was dated on the 16th of April, 1794, and is the text, the examination of which will develop the total matter, previous to Mr. Jay's departure.

‘The communications,’ says the message, ‘which I have made to you, during your present session, from the dispatches of our minister in London, contain a serious aspect of our affairs with Great Britain.’

The first of these communications was to congress on the 5th of December, 1793; in which are the following passages: 'The vexations and spoliation, understood to have been committed on our vessels *and commerce* by the cruisers and officers of some of the belligerent powers, appeared to require attention. The proofs of these, however, not having been brought forward, the description of citizens supposed to have suffered, were notified; that, on furnishing them to the executive, due measures would be taken to obtain redress of the past, and more effectual provisions against the future. Should such documents be furnished, *proper representations will be made*, with a just reliance on a redress, proportioned to the exigency of the case.'

'The British government having undertaken, by order to the commanders of their armed vessels, to restrain generally our commerce in corn and other provisions, to their own ports and those of their friends, the instructions, now communicated, were immediately forwarded to our minister at that court. In the mean time, some discussions on the subject took place between him and them. These are also laid before you, and I may expect to learn the result of his special instructions, in time to make it known to the legislature, during their present session.'

'Very early after the arrival of a British minister here, mutual explanations on the inexecution of the treaty of peace were entered into with that minister. These are now laid before you, for your information.'

From the documents accompanying this message of December 5th, 1793, these subjects emerge, as depending for adjustment between the United States and Great Britain:—

1. The inexecution of the 7th article of the treaty of peace, in carrying away negroes and other property of American inhabitants, and the not withdrawing the garrisons from the posts within the United States.

2. Regulations on the part of the British government, with respect to the commerce of the two countries; which, if reciprocally adopted, would materially injure the interests of the two nations; and an overture from Mr. Jefferson, as far back as November, 1791, to conclude or negotiate arrangements, which might fix the commerce between the two countries on principles of reciprocal advantage.

3. The ascertainment of the river intended by the treaty as the river St. Croix.

4. The additional instructions of the 8th of June, 1793, which rendered provisions to a certain degree contraband;

and the letter to Mr. Pinckney from this department in consequence thereof.

5. Other measures of the British government, in violation of neutral rights.

6. The exposure of American seamen to impressment ; and,

7. The British complaints of infraction of the fourth, fifth, and sixth articles of the treaty, relative to the omissions of congress to enforce them ; the repealing of laws which existed antecedent to the pacification ; the enacting of laws subsequent to the peace, in contravention of the treaty, and the decisions of the state courts upon questions affecting the rights of British subjects.

The despatches transmitted to congress from Mr. Pinckney, on the 22d of January, 1794, manifest a continuation of the same unfriendly spirit in the British Government.

With the message of February 24, 1794, was sent to congress a letter from Mr. Pinckney, forwarding his conversation with lord Grenville concerning British agency, in fomenting the Indian war, and Algerine hostility.

On the 4th of April, 1794, was conveyed to congress, Mr. Pinckney's letter, enclosing the instructions of the 6th of November, 1793.

In addition to this involved and injurious state of things between us and Great Britain, it had been collected and reported to congress, from the papers respecting spoliation ; that ' the British privateers plundered the American vessels ; threw ' them out of their course, by forcing them, upon groundless ' suspicion, into ports, other than those to which they were ' destined ; detained them even after the hope of a regular ' confiscation was abandoned ; by their negligence, while ' they held the possession, exposed the cargoes to damage, and ' the vessels to destruction, and maltreated the crews.' That our occasional trade to the British West Indies was burthened unnecessarily ; that our vessels were captured in going to the French West Indies ; and that the proceedings in the British vice-admiralties were rigorous ; transgressed strict judicial purity, and heaped the most intolerable and fruitless expences upon our citizens, who defended their property before them.

It makes no part of my object to compare the various schemes which were circulating to face those public distresses ; nor to prove the superiority of the policy adopted by the executive, to commercial reprisals, sequestration, and the stoppage of intercourse. It is enough to say, that his policy is affirmed to

be, to pursue peace ' with unremitting zeal, before the last ' resource, which had so often been the scourge of nations, and ' could not fail to check the advanced prosperity of the United States, should be contemplated.'

By what means did the president expect to execute the work of peace through the agency of Mr. Jay? By ' announcing to the world our solicitude for *a friendly adjustment of our complaints*; and a reluctance to hostility: By ' sending a man who, going directly from the United States, ' would carry with him a full knowledge of the existing temper and sensibility of our country; and would thus be taught ' to vindicate our rights with firmness, and to *cultivate peace* ' with sincerity.' The senate, therefore, did probably anticipate what might be the objects of this mission, when they confirmed the nomination. For the president details no powers, and founds his nomination upon the information possessed by themselves.

It has been or may be objected, 1. That the senate did not contemplate the making of *any treaty* whatsoever. 2. That a treaty of commerce, especially, was very distant from their mind. 3. That the declarations to the minister of the French Republic here, and the instructions to our own minister at Paris induced a persuasion, that the President had not vested in Mr. Jay, powers as extensive as a treaty of commerce; and, 4. That the treaty with Great Britain is justly offensive to France.

1. Recapitulate the several heads of intelligence in the power of the senate, when the nomination was assented to. Scarcely one of them could, in the ordinary course of proceeding, be accommodated without an agreement: Some expressly struck at the inexecution of the past treaty. Upon others, no treaty had ever existed, though overtures for that purpose had been repeated by the United States. That a treaty would spring from such mission, and the extinction of our differences, is too clear to be in need of further elucidation.

And why should not a treaty be concluded with Great Britain? Was it because she had despoiled us? The objection would lie with equal strength against even a treaty of *peace*. It would forbid a treaty of peace even with Algiers. The fact is, that treaties are proposed by one nation, and accepted by another, only because they can be mutually hurtful by positive enmity, or by the withholding of some benefit. We are in no danger of being corrupted by importing foreign vices;

if treaties merely, and not our own propensities, should favor them.

2. A treaty of commerce with Great Britain has for many years been anxiously pushed by the United States : Witness the powers given by the old congress to Mr. Adams, to negotiate it : Witness the clamors against her for declining it : Witness the argument drawn from thence, for a more energetic government, which should inspire a dread of reprisal : Witness the bill which passed the house of representatives at an early session, discriminating between nations having no commercial treaty with us, and those which had. What, too, was the report of the late secretary of state, but a plan for forcing the British government into a treaty of commerce ? Has he not clearly unfolded this sentiment ? What were the commercial propositions, but emanations from the same system ? The want of a commercial treaty was the single circumstance, which propped up the severity of the proposed distinction of duties, and carried through one of the resolutions.

Exclusively of these various acts, the facilities to our commerce, both European and West Indian, which would flow from such a treaty, rendered it very desirable.

Perhaps, for a treaty of commerce alone, an envoy would not have been thought of. But surely, to include in one general arrangement controversies, as well as useful compacts, was the saving of one negotiation at least. Some of our vexations on the water were owing to the non-existence of the customary appendages to a commercial treaty. Past spoliations might have been compensated without a treaty ; but a treaty was the best assurance of the future. In a word, the senate must have been sensible of many particulars being comprehended by the general outlines of the nomination.

When the president nominates ministers, he may, if he pleases, restrict himself to the name, the grade, and the prince or state. He might, for example, have nominated Mr. Jay thus : ' I nominate John Jay, as envoy extraordinary to his Britannic majesty.' The senate, in their turn, might have rejected him. But if they had approved him, the president would have been at liberty to employ him in any negotiation with that king. Their power being ample on the completion of the treaty, they are not a necessary constitutional party in the concoction of it ; unless the president should find it expedient to request their intermediate advice. It would be superfluous to discuss how far he might have limited himself by

the terms of the nomination; as I again contend, and hope I have shewn, that he did not limit himself.

3. We cannot foresee the representations, which Mr. Fauchet is understood to be meditating, to the French Republic. But as the duties of nation towards nation did not compel us to divulge to the French minister more in regard to the treaty with Great Britain, than that our treaties with France were forbidden, by the instructions to the envoy, to be infringed,—so did the president approve, that the restriction should be communicated to him. This was conformable with the truth, and wears no deceptive countenance.

Your own instructions speak thus: ‘To remove all jealousy with respect to Mr. Jay’s mission to London, you may say; that he is positively forbidden to weaken the engagements between this country and France. It is not improbable, that you will be obliged to encounter, on this head, suspicions of various kinds. But you may declare the *motives* of that mission to be, to obtain immediate compensation for our plundered property, and restitution of the posts. You may intimate, by way of argument, but without ascribing it to the government; that if war should be necessary, the affections of the people of the United States towards it would be better secured, by a manifestation, that every step had been taken to avoid it; and that the British nation would be divided, when they found that we had been forced into it. This may be briefly touched upon, as the path of prudence with respect to ourselves; and also with respect to France, since we are unable to give her aids of men or money. To this matter you cannot be too attentive; and you will be amply justified, in repelling with firmness any imputation of the most distant intention to sacrifice our connection with France to any connection with England.’

When we expressed a wish ‘to remove all jealousy with respect to Mr. Jay’s mission,’ it could not have been intended to abandon self dignity, by submitting to the pleasure or animadversions of France, any part of his instructions with which France had no concern. A contrary conduct would have been irreconcilable, also, with the independence of the United States, and would have put them into leading strings. It would have been little short of trepidation under a master. 1. A treaty of commerce was altogether eventual: It was to be kept out of sight, until the posts and depredations should be so adjusted as to promise a continuance of tranquillity. 2. It was eventual in another sense: Being to be concluded or not, according to the degrees of advantage. 3. It was deem-

ed important, that Mr. Jay should communicate or not communicate his commercial powers to the British ministry. 4. Every commercial privilege, which Great Britain should acquire, would devolve on France on like conditions. What would France say, if we were to insist, that every embryo of her commercial treaties,—every possibility of new commercial arrangements, should be laid before our government? Certainly this; that no fellowship between the two countries authorises an expectation, that one will throw itself upon the discretion of the other to mar or not its negotiations; and that national honor is an ample guardian of our treaties.

Among the numberless disgusts, which nations have entertained against each other, I do not remember that a treaty of commerce, which did not undermine the rights of some party, was ever magnified into complaint by foreigners. Let me cite only two: When Portugal, early in this century, surrendered many of her commercial advantages to Great Britain; and France, not ten years ago, contracted a disadvantageous treaty with the same power;—who remonstrated but their own subjects and people? If we are told that we ought not to draw our connection closer with Great Britain, and that France will be jealous; the answer is, that if we can multiply the markets for our great staples; if we can purchase our foreign goods cheaper, by having many manufacturing nations to resort to; or if even in the maintenance of neutral privileges, we can, by a stipulation, not derogatory from the rights of others, avert vexations;—this is a connection unaffailable by any reasonable opposition. The romantic extent to which contrary ideas may be carried, would abolish our trade with every nation, in whose institutions appeared false government, false religion, false morals, false policy, or any other political defect.

Your instructions justify you in affirming, that Mr. Jay 'is positively forbidden to weaken the engagements between 'this country and France.' After vesting a general latitude of powers in him, this case is declared to be an exception and immutable: 'That as the British ministry will doubtless be 'solicitous to detach us from France, and may probably make 'some overture of this kind, you will inform them, that the 'government of the United States will not derogate from our 'treaties and engagements with France.'

You intimate, however, that *your* instructions amount to an exclusion from Mr. Jay's mission of every object, except compensation for plundered property, and restitution of the posts. For a moment let me intreat you to call to mind the

different topics for negotiation, which were actually before the senate at the time of Mr. Jay's nomination, and which were not included in either of those points. Were not Mr. Jefferson's animadversions upon the refusal of Great Britain to enter into a commercial treaty, and his plan for commercial reprisals, before you? Would it not have been extraordinary to pass by so fair an opportunity of bringing forward *all* our discontents? Was it not urged as an objection to the measure, that the terms of the nomination were sufficiently broad for any purpose of negotiation? But appeal to the words; 'You may declare the motives of that negotiation to be' so and so. These *were* the motives; for if they had been away, it is probable, that our minister in London would have been directed to pursue his efforts in the ordinary tract as to every thing else. This was the true idea, when your instructions were prepared. 'We were desirous of repelling any imputation of the most distant intention to sacrifice our connection with France to any connection with England.' It was enough to assign the *leading* motives of Mr. Jay's errand; which were of a nature warranting the assertion, that we would not sacrifice the one connection for the other. Mr. Jay was instructed to this effect: 'One of the causes of your mission are the vexations and spoliations committed on our commerce by the authority of instructions from the British government.' 'A second cause of your mission, but not inferior in dignity to the preceding, though subsequent in order, is to draw to a conclusion all points of difference between the United States and Great Britain, concerning the treaty of peace.'— 'It is referred to your discretion; whether, in case the two preceding points should be so accommodated, as to promise the continuance of tranquillity between the United States and Great Britain, the subject of a commercial treaty may not be listened to by you, or even broken to the British ministry. If it should, let these be the general objects.'—

Your instructions, therefore, were commensurate with fact and propriety.

- 1st. They were *literally* true; because the motives *were* the vexations of our commerce and the posts.
- 2d. The declaration of two cardinal propositions does not exclude another, which is subordinate and eventual.
- 3d. The confidential proceedings of the United States, are not demandable by another nation, except where that nation is injured by them.

4th. Otherwise, every modification of a direct and peremptory challenge of our rights; every compensation, but the downright payment of money; every mode of restitution which was not instantaneous and unqualified, ought to have been avoided by Mr. Jay; because they were not stated in your instructions as motives to his mission. But,

5th. To scout the suspicion of a deception on the French Republic; what manoeuvre could have been more paltry, than one which a few months must certainly exhibit in open day? What emotions could the French Republic have shewn, if Mr. Jay's instructions had been inspected by them? Would they have hazarded a hint, that we must have no treaty of commerce with Great Britain? We should have quoted their own example, in having repelled by arms the meddling of other nations in their internal affairs: We should have quoted our own independence, which will not tolerate the controul of any human authority. Would they have pronounced a treaty of commerce with Great Britain to be necessarily a contravention of our treaties with France? We should have searched in vain for such a provision in those treaties. Would they have argued, that a treaty of commerce with Great Britain contributed to uphold her warlike operations? Not a syllable in the instruction can be so tortured. Mercantile advantages to ourselves, and a security for neutral rights were our aim in a commercial treaty. It remains to be disclosed, whether the contents of that treaty are inconsistent with our relation to the belligerent parties. Would the French Republic have requested us to interdict our trade with Great Britain? They could not have been gratified. Rather ought they, as friends, seriously to have reflected on the prejudicial footing of our trade with Great Britain. The British statesmen have for many years been conscious, that Great Britain enjoys an immense harvest from its loose situation. Our own statesmen have incessantly lamented it, and sought a remedy. France was no stranger to our early opinion, that the remedy was to be found in a commercial treaty. She was no stranger to the facts already enumerated, as to Mr. Adams's powers; to Mr. Jefferson's report; to the commercial propositions in congress; to the pressure on Mr. Hammond; and to the resentful speeches and motions of every session, predicated on the reluctance of Great Britain to treat with us on commerce. And yet, that France has ever lisped a dissatisfaction on the score of injury, is hidden from me. On the contrary, some who were

privy to the French councils have endeavoured to rivet an odium on Great Britain, because she would not negotiate.

4. You are by this time probably acquainted with the treaty with Great Britain, through the communications of Colonel Trumbull, and must have determined in your own mind its probable effect upon the French Republic. Until it shall be ratified, it will be a waste of time, which I can little spare, to comment upon it. If it is ratified or rejected, you shall receive an immediate and copious communication, and more particularly in relation to the 4th inquiry; whether the treaty with Great Britain affords just cause of offence to France. I am the rather inclined to wave this inquiry for the present, in consequence of information, that the French minister is concerting an attack on the ratification of the treaty; and that sentiments, no less eccentric, than fatal to our independence, are to be scattered at random, from a confidence in the popularity of the French cause.

Be the issue of this business what it may, our government will neither renounce its professions and friendly conduct to the French Republic, nor ascribe to them any intemperateness, which their agent may display. But you ought to put them on their guard. The vicissitudes in their parties have already (if newspapers may be credited) revived the old machinations and malicious stories of Genet. The fuel which his successor may add, from considerations and sources which I may, perhaps, hereafter explain, will receive a direction best calculated to excite a flame. A late letter from him bears every symptom of an inflamed temper. My answer to it, which will accompany this letter, is our refutation. We acknowledge nothing to be undone on our part, which friendship would dictate; our faculties could accomplish, and our neutrality would permit. If injuries are complained of, let us reason together like cordial allies; and compensate where either may have been in fault. But let it be the last blot in the annals of the world, that the United States and France cease to be, what they ought to be, friends, who will endure no separation.

I now quit this lengthy subject; and shall in other despatches more precisely reply to the different letters which I have lately received from you.

I am, &c.

EDM. RANDOLPH,
Secretary of State.

From the Secretary of State of the United States, to Mr. Monroe.

Philadelphia, July 2d, 1795.

SIR,

I UNDERSTAND by a letter from colonel Burr, that Mr. John B. Prevost takes an immediate passage for France, to enter into your family: His expectation being founded on the new office of consul-general, which, at your instance, has been created, and given to Mr. Skipwith, I inclose his commission.

Before this time you must have seen Mr. Pinckney and Mr. Trumbull; and from them will have collected the particulars of the treaty with Great Britain. My long letter of the 1st of June, will also have reached you within a few days from the present. Overwhelmed as I am with most urgent business, I can only communicate to you a copy of the treaty, and the vote of the senate; and state to you, that the President has not yet decided upon the final measure to be adopted by himself; that a copy has been delivered to Mr. Adet; that he last evening transmitted to me some remarks upon it; that this morning they will be laid before the President; and that I shall probably make explanations to Mr. Adet, which, as far as I see into the subject, ought to quiet his apprehensions. I need not repeat to you how much we have at heart a pure friendship with France, uninterrupted and perpetual.

I am, &c.

EDM. RANDOLPH,

Secretary of State.

From the Secretary of State of the United States, to Mr. Monroe.

July 14th, 1795.

SIR,

My indisposition disables me from writing a long letter at this moment. But the opportune conveyance by Mr. Gibson, supercargo of the ship Molly (whom I recommend to your notice and patronage, on public and private considerations) will not suffer me to omit the forwarding of the papers at foot. Among them is the treaty, &c. as published, and a

correspondence between Mr. Adet and myself upon it. Since my letter to him, I have heard nothing from him.

The treaty is not yet ratified by the president; nor will it be ratified, I believe, until it returns from England;—if then. But I do not mean this for a public communication, or for any public body or men. I am engaged in a work, which, when finished and approved by the president, will enable me to speak precisely to you. The late British order for seizing provisions is a weighty obstacle to a ratification. I do not suppose, that such an attempt to starve France will be countenanced.

By Mr. Prevost, who leaves the United States for France the day after to-morrow, I shall write to you again; and, if possible, more at large.

I am, &c.

EDM. RANDOLPH.

P. S. Be so good as to protect the vessel, the description of which is inclosed.

Duplicate, E. Randolph to James Monroe, 1st June, 1795.

Ditto ditto 7th June, 1795, as to money for Madame la Fayette.

Ditto ditto 8th June.

Ditto ditto 2nd July.

Copy of the treaty between the United States and Great Britain, and the newspapers including this day's.

First copy of a letter from Mr. Adet, of 30th of June; and Mr. Randolph's answer of 6th July, relative to the treaty between the United States and Great Britain.

From the Secretary of State of the United States, to Mr. Monroe.

Philadelphia, July 21st, 1795.

SIR,

By a past opportunity, I did myself the honor of sending to you a printed copy of the proposed treaty between the United States and Great Britain: With it was bound up a copy of the act of our senate. The want of precedent for such

a mode of ratification; the doubts, whether they meant to fit in judgment again upon the article to be added; whether the president can ratify without re-submitting the new article to them; whether he can ratify before he himself inspects the new article, after it shall have been assented to by the British king; and what effect the suspension of the 12th article will have upon all those subsequent to the 10th,—create difficulties and delays, even independent of the *real merits* of the treaty. The newspapers which have been forwarded to you, will shew the unpopularity of the treaty at Boston.

The day before yesterday, New York exhibited a similar scene: It will probably be re-acted in Philadelphia to-morrow; and will travel, perhaps, further. The complaints are numerous, from the friends of the treaty, that the condemnations of it have proceeded from unfair practices. Upon this I can, as yet, say nothing; but will wait until some counter-assemblies, which are said to be contemplated, shall have published their appeal to the world. When I inform you that the president has not yet ratified the treaty, his character will convince you, that nothing will deter him from doing what he thinks right; and that the final question lies open from causes unconnected with any considerations but the interest and duties of the United States. He is at present in Virginia; and will, doubtless, very soon take his conclusive step. If I were permitted to conjecture what that would be, I should suspect, that, at any rate, he would not sign it until it should return from England, with the addition of the suspending article; and probably not even then, if a late British order for the capture of provisions going to France, should have been issued, as we suppose, and increase the objections which have been lavished upon it.

The present may be well considered as a crisis, taken either upon the supposition of a ratification or rejection. In the latter case, the result with Great Britain is not so easily foreseen: In the former, the result in our own country is involved with many delicate and hazardous topics. It is my consolation, however, that he who guides the helm, will, by his fortitude and wisdom, steer us into safe port.

I am, &c.

EDM. RANDOLPH,
Secretary of State.

The Minister Plenipotentiary of the French Republic, to the Secretary of State of the United States.

Philadelphia, 12th Messidor, 3d year of the Republic.

(June 30th, 1795.)

SIR,

I HAVE received the treaty of amity, commerce and navigation, negotiated between the United States and Great-Britain, which the President has been pleased that I should be possessed of in order to enable me to make such observations thereon as I might judge proper. This frank measure is to me a sure guaranty of the friendship of the American government towards France, and of the fidelity with which it always marks its conduct towards a faithful ally. It is therefore with confidence that I am about to submit the reflections to which the reading of the treaty has given birth. They will not be founded, Sir, upon general questions; they shall be confined merely to the stipulations of the treaty concluded with England; which, contrary to the interests of France, appear to me to destroy the effect of her treaty with the United States.

I shall not speak of the 12th article, since that is suspended. I shall not represent to you how injurious it may be to France and the United States. It necessarily paralyzes the commerce of the United States with the French colonies. In fact, would an American merchant be willing to treat with our colonies for the exportation of produce, which he cannot vend in Europe? Is not this an indirect means of preventing the colonies from participating in advantages which the English reserve to themselves? But, Sir, this is not the only article upon which I can present observations to you.

The 17th, 18th, 24th and 25th articles, appear to merit great attention, when we compare them with the 23d, 24th and 17th of our treaty. Indeed, Sir, subsequent to the 17th, which states that the contracting parties agree, that the respective vessels may be arrested and detained upon just suspicion that they are laden with merchandize belonging to an enemy, or that they are carrying to the enemy articles which are contraband of war, &c. is the 18th article describing those articles, and which states: 'It is agreed that under the said denomination shall be comprised all arms and implements serving for the purposes of war, by land or sea; such as cannon, muf-

‘kets, mortars, petards, bombs, grenadoes, carcasses, fau-
 ‘cusses, carriages for cannon, musket rests, bandoliers, gun-
 ‘powder, match, saltpetre, balls, pikes, swords, heads pieces,
 ‘cuirasses, halberts, lances, javelins, horse furniture, holsters,
 ‘belts, and generally all other implements of war; as also
 ‘timber for shipbuilding, tar or rosin, copper in sheets, sails, hemp
 ‘and cordage, and whatever may serve directly to the equipment
 ‘of vessels; unwrought iron and fir planks only excepted;
 ‘and all the above articles are hereby declared to be just objects of
 ‘confiscation whenever they are attempted to be carried to an enemy.’

The 23d article of the treaty between France and the United States, which secures the liberty of commerce to the citizens of both countries, contains this stipulation: ‘It is stipulated
 ‘by the present treaty, that free ships shall make free goods,
 ‘and that every thing shall be judged free which may be found
 ‘on board of the vessels belonging to the subjects of the con-
 ‘tracting parties, if *even the lading or a part thereof should be-
 ‘long to the enemies of one of them*; it being nevertheless under-
 ‘stood that contraband articles shall always be excepted.’

The 24th article explains the articles of contraband and pro-
 ‘hibited merchandize in the following manner: ‘Under the
 ‘name of contraband or prohibited merchandizes, are com-
 ‘prehended, cannon, bombs with their fuses, and other
 ‘things thereto belonging, bullets, gunpowder, matches,
 ‘pikes, swords, lances, spears, halberts, mortars, petards, gre-
 ‘nades, saltpetre, muskets, musket balls, bucklers, helmets, breast-
 ‘plates, coats of mail, and the like kinds of arms, proper for
 ‘arming soldiers, musket rests, belts, horses with their fur-
 ‘niture, and all other warlike instruments whatever. These
 ‘merchandizes which follow shall not be reckoned among
 ‘contraband or prohibited goods; that is to say, all sorts of
 ‘cloths, and all other manufactures woven of any wool, flax,
 ‘silk, cotton or any other materials whatever, all kinds of
 ‘wearing apparel, together with the species whereof they
 ‘are used to be made; gold and silver, as well coined as un-
 ‘coined; tin, iron, latten, copper, brass, coals: As also
 ‘wheat and barley, and any other kind of corn and pulse;
 ‘tobacco and likewise all manner of spices; salted and smoak-
 ‘ed flesh, salted fish, cheese and butter, beer, oils, wines,
 ‘sugars and all sorts of salts; and in general all provisions
 ‘which serve for the nourishment of mankind and the sus-
 ‘tenance of life: Furthermore, all kinds of *cotton, hemp, flax,
 ‘tar, pitch, ropes, cables, sails, sail cloth, anchors, and any parts
 ‘of anchors; also ships’ masts, planks, boards and beams of what
 ‘trees soever; and all other things proper either for building or re-*

‘ *pairing ships*, and all other goods whatever, which have not
 ‘ been worked into the form of any instrument or thing pre-
 ‘ pared for war, by land or by sea,—shall not be reputed con-
 ‘ traband; much less such as have been already wrought and
 ‘ made up for any other use;—all which shall be wholly reck-
 ‘ oned among free goods; as likewise all other merchandizes
 ‘ and things which are not comprehended and particularly
 ‘ mentioned in the foregoing enumeration of contraband
 ‘ goods; so that they may be transported and carried in the
 ‘ freest manner, by the subjects of both confederates, even
 ‘ to places belonging to an enemy, such towns or places be-
 ‘ ing only excepted, as are at that time besieged, blocked up
 ‘ or invested.’

The law of the 13th Nivose, in the 3d year, secures to the
 treaties a full execution, and the arret of the committee of
 public safety, dated the 27th of the same month, transmitted
 to you by Colonel Monroe, rests upon the entire execution
 of the article of our treaty which I have just cited to you.
 The United States therefore, in virtue of these acts, may free-
 ly transport to England, hemp, flax, tar, pitch, cordage,
 cables, sails, sail cloth, &c. and every other thing proper for
 the construction or repair of vessels, without apprehending
 any hindrance on our part; while by the articles of the trea-
 ty with England, the United States cannot carry to us any
 of the articles proper for the construction of vessels, since the
 English have the power of seizing them. The United States
 have, therefore, granted to England a right which we have not,
 and which in the course of the present war, inclines the bal-
 ance in favor of England.

The 23d article of the treaty between the United States and
 England, states that English vessels and those of the United
 States, shall be hospitably received in the respective ports of
 the two contracting nations; and article 24th states: ‘ It shall
 ‘ not be lawful for any foreign privateer (not being subjects or
 ‘ citizens of either of the said parties) who have commissions
 ‘ from any other prince or state in enmity with either nation,
 ‘ to arm their ships in the ports of either of the said parties,
 ‘ nor to sell what they have taken, nor in any other manner
 ‘ to exchange the same, nor shall they be allowed to purchase
 ‘ more provisions than shall be necessary for their going to the
 ‘ nearest port of that prince or state from whom they obtain-
 ‘ ed their commissions.’—And article 25th, ‘ It shall be law-
 ‘ ful for the ships of war and privateers belonging to the said
 ‘ parties respectively, to carry whithersoever they please, the
 ‘ ships and goods taken from their enemies, without being

• obliged to pay any fee to the officers of the admiralty, or to
 • any judges whatever; nor shall the said prizes when they
 • arrive at, and enter the ports of the said parties, be detained
 • or seized; neither shall the searchers or other officers of these
 • places visit such prizes (except for the purpose of preventing
 • the carrying of any part of the cargo thereof on shore, in
 • any manner contrary to the established laws of the revenue,
 • navigation or commerce) nor shall such officers take cogni-
 • zance of the validity of such prizes; but they shall be at li-
 • berty to hoist sail, and depart as speedily as may be, and
 • carry their said prizes to the place mentioned in their com-
 • missions or patents, which the commanders of the said ships
 • of war or privateers shall be obliged to shew. No shelter or
 • refuge shall be given in their ports to such as have made a
 • prize upon the subjects or citizens of either of the said parties;
 • but if forced by stress of weather, or the danger of the sea,
 • to enter therein, particular care shall be taken to hasten their
 • departure, and to cause them to retire as soon as possible.
 • Nothing in this treaty contained, shall however be constru-
 • ed or operate contrary to former existing public treaties with
 • other sovereigns or states. But the two parties agree, that
 • while they continue in amity, neither of them will in future
 • make any treaty that shall be inconsistent with this or the pre-
 • ceding article. But the 17th article of our treaty states; that
 • French ships of war, and those which France shall have
 • armed for war; as also the vessels of the United States or
 • of their inhabitants, may conduct their prizes into the respec-
 • tive ports of the two nations; that neither asylum nor refuge
 • shall be given in their ports or havens to those who shall have
 • made prizes on the respective inhabitants of the two countries,
 • and if they are forced to enter by tempest or danger of the sea,
 • they shall be obliged to go out as soon as possible. If we com-
 • pare this article with those of the treaty made with Great Bri-
 • tain, it will be easily seen, that during the present war it is
 • destroyed by the first. For although the 25th article of the
 • treaty with Great Britain states: 'Nothing in this treaty
 • contained, shall however be construed or operate contrary
 • to former and existing public treaties with other sovereigns
 • or states;' and we ought to infer therefrom, that France,
 • though not named, will always enjoy the advantages which
 • article 17th of her treaty allows her; yet it is very clear that
 • the English will have the right of claiming the execution of
 • the 23d and 24th articles of their treaty with the United
 • States; that they will have during the present war the privi-
 • lege of conducting their prizes into the ports of the United

States, and consequently the stipulations of the 17th article of our treaty are destroyed.

Moreover this article contains this clause: 'But the two parties agree that while they continue in amity, neither of them will in future make any treaty, that shall be inconsistent with this or the preceding article;' which seems to prevent the establishing of a new negotiation between the United States and France; since, in a new treaty, France could not renounce the advantages secured to her by article 17th of her former treaty, and it is possible that they would be refused to her in virtue of that article.

Such, sir, are the observations which I have thought it my duty to present. I shall wait for your answer in order to transmit the treaty to the committee of public safety of the national convention. It has never doubted the attachment of the American government towards France, and I am convinced that the present circumstances will furnish a new proof of their good intentions.

Accept, Sir, the assurance

of my respect and esteem,

P. A. ADET.

*From the Secretary of State of the United States, to the Minister
Plenipotentiary of the French Republic.*

Philadelphia, July 6th, 1795.

SIR,

I ACCEPT as a pledge of that harmony which you are anxious to cultivate between our two nations, your letter of the 30th ultimo, received on the 1st instant at night. Let it be our unvaried practice, to suffer no suspicion to ripen into an unfriendly sentiment, until it shall have been imparted to each other; and let us repel, with firmness, the artifice by which ill-affected persons, under the guise of attachment to the French republic, endeavor to embroil it with the United States.

When you expressed to me, on Monday last, some uneasiness which the report of the contents of the proposed treaty with Great Britain had excited in your breast,—I the more readily informed you of my intention to ask the president's permission

to furnish you with a copy ; as I was convinced that an entire view of it would not only enable you to state *all* the parts objectionable to our ally, but would also remove the prejudices which detached representations might occasion. Having delivered to you a copy, I am now to examine the provisions, which seem to you irreconcilable with our engagements to France.

Upon this head, it has been often declared by the president of the United States, and is now repeated, that those engagements shall not, with his assent, be infringed. As far, therefore, as he is concerned, you need only prove, at any time, that a given measure will infringe it, and he will not countenance that measure. The same, I am persuaded, may be affirmed of the other branches of our government. But after a close scrutiny of the points, which alone you have selected for animadversion, it is not discerned that the rights of France are in any degree impaired.

In saying this, I must call to your recollection the manner in which the making of treaties is arranged by our constitution. The senate advise and consent to their being made ;—the president ratifies them ; and the courts are afterwards at liberty to construe them, as particular cases arise, requiring their decision. The opinions, therefore, of the president, are not obligatory on the courts: He judges for himself: They judge for themselves ; and if, by the interpretation of the one or the other, the rights of the French Republic are assailed, the accustomed modes of remonstrance and negociation will still be open ; and the principles upon which national redress is demanded, will still have their force.

After this explanation, I proceed to state to you the result of the president's reflections on your exceptions to the proposed treaty.

These exceptions are ; 1st. That the 23d and 24th articles of our commercial treaty with France are violated by the 17th and 18th of the proposed treaty. 2nd. That the 17th article of the former is destroyed by the 23d, 24th, and 25th articles of the latter ; and, 3d. That the last sentence in the first paragraph of the 25th article of the proposed treaty ' appears to prevent a new negociation between the United States and France.'

1. The essence of your first objection, as drawn from the reasoning in your letter, is reducible to this statement :—By the treaty with France, hemp, flax, tar, pitch, ropes, cables, sails, sail-cloth, anchors and parts of anchors, masts, planks, boards and beams, of what trees soever, and all other things

proper for building or repairing ships, shall not be reputed contraband of war, but shall be reckoned among free goods, and may be transported in the freest manner by the contracting parties, even to places belonging to an enemy; such only excepted, as are actually besieged, blocked up, or invested. But the proposed treaty designates as contraband, timber for ship-building, tar or rosin, copper in sheets, sails, hemp and cordage, and whatever may serve directly to the equipment of vessels (unwrought iron and fir planks only excepted) and they are declared to be just objects of confiscation, whenever they shall be attempted to be carried to an enemy. From hence you conclude, that the United States may freely carry into England all things proper for the building or repairing of vessels, without fearing any obstacle on the part of France, while they can carry none of them to France; and that they have *thus* granted to England a right which France enjoys not, and which, in the course of the existing war, inclines the balance in favor of England.

The United States have certainly opposed the extension of contraband, whenever the British government has sought to swell the catalogue. But it never could be denied, under the law of nations, and independently of a treaty, that materials for the building and repairing of vessels are contraband. The proposed treaty, then, does not *grant*, but *recognizes only*, a right to Great Britain; which, even without that recognition, she would have possessed and exercised.

This recognition might have been omitted or inserted, without changing the nature of the subject; though it was more natural, in commercial arrangements, to particularize the articles of contraband.

It was, indeed, anxiously desired to diminish the list, as much as possible. But, if no reciprocity could accomplish this end; if no equivalent could be offered by us to Great Britain, powerful enough to induce her to renounce her rights under the law of nations,—what was to be done? Many reasons will occur, sir, why it was not to be extorted by force: To become a party in the war was neither our policy, nor the wish of your republic: To become a party in the war for a cause, which the armed neutrality itself never would have asserted, would have been supported by no civilized nation.

The United States have, therefore, wilfully surrendered no right, relative to contraband.

Nor is the treaty with France contravened by this acknowledgment of contraband. It stipulates, that if France be at

war, and the vessels of the United States carry naval stores to her enemy, French cruizers shall not capture them. The proposed treaty admits the right of Great Britain to seize such vessels going to her enemy. The inference is, that France has relaxed her strict rights, in consideration that the United States have relaxed theirs, in this respect; but that Great Britain will not relax hers. The treaty with France, therefore, remains uninfluenced by the proposed compact with Great Britain.

∴ The true light, in which the subject is to be viewed, is that which you have caught; when you allude to the effect, which the right of Great Britain to seize naval stores, going from the United States to France, may have upon her interest, while she continues bound not to seize like stores, going from the United States to England.

Our treaty with France was entered into, with a perfect knowledge, on both sides, that they were striking out from the class of contraband articles, which the laws of nations denominated such. They were both apprized, that if the United States should be at war with Great Britain, the shipping of France, carrying naval stores to Great Britain, could not be seized by American cruizers; while the same shipping, bringing naval stores to the United States, might be seized by British cruizers. They saw, therefore, the reciprocity of the provision. Why then was not the case, which has now happened, being foreseen, guarded against? Perhaps on account of this very reciprocity. Perhaps from a belief, that it was not over-important. Perhaps, on the part of the United States, from a confidence that their internal supplies would be ample; and, on that of France, that their home resources, their own shipping and convoys would accommodate them with those stores. Or more probably, neither of the contracting powers was disposed to cramp the commerce of the other, but upon the most demonstrable necessity: However this may be, the proposed treaty does not vary the situation of France, nor better the rights of Great Britain, in one iota of contraband.

There was a time, indeed, when France felt herself absolved from the stipulation, that free ships make free goods; because Great Britain, by capturing hostile property in American bottoms, rendered it disadvantageous to France to spare British property in those bottoms. But the law of the 13th Nivose, in the 3d year, to which you refer, has banished that mode of reasoning, and has created a precedent for our mode.

Hitherto, however, I have spoken upon principles of *right*. Upon any other principles, and more especially upon those of hardship and injury to a friend, it shall be a topic of the negotiation, now opening between us. With the temper which will pervade the whole of it, I cannot doubt, that some modification may be devised; and it may be separated from the general treaty, so as not to be delayed by it.

2. In my judgment you misconceive the proposed treaty, when you imagine that the English will have a right to claim the execution of the 23d and 24th articles of it, in derogation of the 17th article of our treaty with France; that is to say, that in the course of the present war they may conduct their prizes, made from the French, into the ports of the United States. They will not possess such a privilege, during the present or any other war with France. For 'nothing,' in the proposed treaty contained, 'shall be construed, or operate, 'contrary to former and existing public treaties with other 'sovereigns or states.' The British plenipotentiary was here admonished of our prior engagements, and of our determination to postpone to them any new contract with Great Britain. Our treaties with France are saved by the general description, which was the most eligible form of expression; because it was shorter, and equally well adapted to comprehend *all* our treaties. It is the same form of expression with that which was adopted in the year 1786, in the treaty between France and Great Britain.

The 40th article of the last mentioned treaty, and the 25th of the proposed treaty, are, in substance, alike; and yet it was clearly and properly understood, when the French and English treaty was made, that our commercial treaty with France was not, in this respect, shaken. We have, at least, never complained of any infraction of ours from this cause; and therefore are sincere in believing, that France can be as little affected by our treaty with Great Britain, as the United States were by hers with Great Britain.

In your quotation of the 23d article of the treaty with Great Britain, you observe, that *the vessels* of the English are to be received with hospitality in the ports of the United States. They are the '*ships of war*,' the public navy, not the *privateers*, which are to be so received. Now the British ships of war are not prohibited by our treaty with France, from visiting our ports, unless under certain exceptionable circumstances. From these they are not released by the proposed treaty; because our treaty with France, which is a supreme law of the land, is decisively contrary.

The 24th article of the proposed treaty is, with a very small and unessential difference, the same with the 16th article of the French treaty with Great Britain. And here this remark occurs: That the proposed treaty saves *every* right of France, arising from our treaty of commerce; but the treaty between France and Great Britain does not, by any general or particular expression, save the rights of the United States, which might stand in opposition to that 16th article. We have never remonstrated, because we always thought ourselves secure under the faith of France, and the law of nations.

3. Upon the third and last head of objection, which you urge against the proposed treaty, little need be said. You shall continue to enjoy your rights under the 17th article of our treaty with France. We will not ask you to renounce the advantages, which that article assures to you. The prohibition on which you lay so much stress, is not against *past*, but *future* treaties. If a new treaty of commerce with France, including the same matter with the old one, would be prevented by the 25th article, the consequence may be easily avoided, by declaring, that so much of the old one as is connected with any particular, for which it may be desirable to retain a priority, shall remain in force. This is a remedy so obvious, that I flatter myself it will remove any difficulty in the way of a new negotiation.

Should an embarrassment still hang upon these points, I must entreat you to afford me an opportunity of meeting them, before your communications are despatched to the committee of public safety.

I have the honor to be, &c.

EDM. RANDOLPH.

*From the Minister Plenipotentiary of the French Republic, to the
Secretary of State of the United States.*

Philadelphia, 2d Messidor, 3d Year of the Republic.

(July 20th, 1795.)

SIR,

I RECEIVED on the 6th, the letter dated the same day, which you have addressed to me in answer to the observations which I presented to you upon the treaty proposed between the United States and Great Britain. I should have

answered you sooner if my health, always precarious since my arrival in the United States, had not obliged me to abstain from business for a fortnight back. I transmit it to the French government with my observations, and the treaty. In circumstances so important, it belongs to my government, exclusively, to adopt a decision, and I cannot permit myself to make any.

In a few days I shall have the honor of seeing you, and of taking the necessary measures to begin the work relative to the framing of the new treaty, and new consular convention.

Accept, Sir, the assurance of my esteem, and of my high consideration.

P. A. ADET.

No. XXIII.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, October 20th, 1795.

SIR,

THE breach which I lately intimated to you had taken place between several of the sections of this city, and the convention, respecting two decrees of the 5th and 13th Fructidor, and whose object was to transfer from the convention so many of its members, as would constitute two thirds of the legislature of the new government, continued daily to widen afterwards till at length all hope of amicable compromise was gone. A final appeal, therefore, was made to arms; and which took place on the 5th instant (13th Vendemiaire) and in which the convention prevailed. The details of this contest, though very interesting, are not lengthy. In the morning of the 5th, a force was marshalled out by the revolting sections upon their respective parades, in concert, and under officers already engaged, and who led it on by different avenues towards the national palace; so that by four in the evening the convention was nearly invested on every side. Within the garden of the Thuilleries and around the national palace were collected the troops destined for the defence of the convention; and which were advantageously posted with cannon to guard the several avenues by which approaches might

be made. The members remained within the hall, prepared to await the issue of the day. The disposition, therefore, was that of besiegers against besieged, and which grew out of the disparity of numbers on each side; for on that of the convention, taking the whole together, there were not more than six thousand; whilst on the side of the sections, there were in activity at least ten thousand, and a still greater body in arms, which was supposed to be on the same side, or at least neutral. The countenance too of the parties bespoke a strong sympathy with their respective situations; that of those without exhibited an air of cheerfulness and alacrity, and which nothing but the confidence of success could inspire, whilst that of those within was dejected and melancholy. The action commenced a little after five in the evening by the advance of the troops of the sections, and ended about ten by their retreat. Wherever they approached they were repulsed by heavy discharges of artillery and musketry, which ranged and cleared the streets of their columns, as soon as presented. For some time, towards the close, the contest was sustained on the part of the sections, from the windows of the neighbouring houses; from whence, perhaps, more of the troops were slain than from any other quarter. The loss on either side is unknown, and perhaps will continue so, and the reports are so various and contradictory, that they furnish but little data whereon to found a conjecture. Judging, however, from what I saw of the disposition of the troops who were presented at the corner of streets, or when advancing by the head of the column only, and by the time and nature of the action, which was by intervals, I cannot think that more than five hundred were killed and wounded on both sides; though some of the reports make it as many thousands. It was generally understood by the assailants, that little or no opposition would be made, and that two of the regular regiments, in particular, were on their side, and that they would so declare themselves when the crisis approached. But in this they were mistaken; for all those troops behaved with great bravery and intrepidity, acquitting themselves as they had done before on the Rhine; having been drawn from the army of the north. Indeed, the probability is, the report was only circulated to inspire the troops of the sections with confidence, and to produce a suitable impression on the citizens of Paris in general. Many circumstances occurred in the course of the commotion, to countenance this opinion, of which the strongest is this, although it lasted until about ten

at night, yet by the citizens generally it was abandoned or feebly supported after the first onset, and repulse which immediately followed; and after which it was sustained principally by those who were really and truly the parties to it; for as such the great bulk of those who were in the rank ought not to be considered. This opinion is likewise countenanced by a train of incidents which attended this movement, from ten at night to its close, and which was about 12 the next day. The troops of the convention kept their ground all night, being unwilling to press as far as they might have done, the advantage gained; since it appeared, that by such pressure they might slay more of their countrymen, but not gain a more complete victory. On the other hand, the troops of the sections filed off gradually in small parties, as the darkness of the night or other circumstances favoured; till finally none were left, except those who were not properly of that description. By the morn every thing was tranquil, as if nothing had passed. At the entrance of every street you saw the pavements taken up, and waggons and other impediments obstructing the passage; but not a sentinel was to be seen. The only armed force, remaining in opposition to the convention, was of the section of Lepelletier, consisting of a few hundred only, and which had in part retired and was retiring to its commune as a place of retreat, rather than of defence. But now the scene began to change and exhibit to view precisely the reverse of what was seen the day before,—the besieged becoming the besiegers; for by this time the troops of the convention were advancing towards the commune of this section, under the command of Barras, who had commanded formerly on the great epoch of the 9th Thermidor, and of Berruyer, who made regular approaches and by different routs, till finally this corps was completely surrounded. A peremptory summons was then sent to it to surrender, and which was immediately obeyed, by laying down their arms and submitting to the will of the conquerors; and thus was this movement crushed; the authority of the convention vindicated, and Paris restored to complete tranquillity, and within less than twenty-four hours after the action commenced.

Such was the order, and such the issue of this contest: A contest, in many respects, the most interesting and critical that I have yet witnessed, and which promised, had the assailants succeeded, not perhaps essentially to impede or vary the direct course of the revolution; but, most probably, to involve the nation in a civil war; open a new scene of carnage more frightful than any yet seen, and deluge the country by kin-

dred arms with kindred blood. In this view the character and object of the movement, on the part of the insurgents, merit some attention.

You have already seen that the decrees above mentioned were the ostensible, if not the real, cause of this controversy, and these you have. But to enable you to form a just estimate of its merits in other respects, and thereby of the probable views of the insurgents, it will be necessary for me to state other facts, and which preceded the final appeal to arms. These decrees, as you likewise know, were submitted with the constitution to the people, and according to a report of the convention by them adopted. But the verity of this report, of which I herewith send you a copy, was denied by the sections. By the report, however, you will perceive that the names of the departments voting for and against the decrees, were published some time since, and to which it may be added, that no department or commune has since complained; that the statement given of its votes was untrue. Still a doubt arises upon it, admitting that a majority of those who voted, was in favor of the decrees, whether those who did vote for them constituted a majority of French citizens entitled to vote, and upon which I cannot yet positively decide. The sections affirm the contrary, and likewise contend, that all who did not vote ought to be counted against the decrees. It is probable that some of the communes, foreseeing a storm gathering from that source, did not choose to vote for or against them, and therefore evaded the question by design, and it is certain that in others, it was understood by the people, that the question was taken upon the constitution and the decrees together; for latterly this was notified to the convention by several who had voted for the decrees, and particularly Nantes, to prevent a misapprehension of what their real intention was. I send you, however, the several papers which illustrate this point, and by which you will be enabled to form as correct an opinion on it, as present lights will admit: Observing further, that the report made by the convention respecting the decrees, was made, as you will perceive, at the same time with that upon the constitution; and that another report, containing a complete detail of the proceedings of every commune, is making out for the satisfaction of the community at large, and which was commenced by order of the convention, immediately after the first one was rendered. It is to be wished that this had been some time since published; but when it is recollected that the publication must contain the proceedings of upwards of seven thousand primary assemblies,

many of which are, perhaps, lengthy; impartial people will perceive, that it could not be soon done, especially when it is also recollected, that the whole of the interval since the order was given, has been a time of unusual fermentation and trouble.

Under these circumstances, the electoral assemblies were to meet, and the day of meeting was not distant. The decrees, and the evidence of their adoption were before France, and would, of course, be before these assemblies: Nor were the electors bound by any legal penalty to regard them, if they thought they were not adopted, or even disapproved them. The presumption, therefore, was (and especially if they discredited the report of the convention) that every assembly, whose constituents voted against the decrees, would disregard them; and, rejecting the two thirds of the present convention, vote for whom they pleased; leaving it to those who were elected, by the several departments, to the legislature of the new government, whether they were entirely new men, or partly such, and partly of the convention,—according to the mode that each department might adopt, to settle the point among themselves, and with the convention, who should constitute the legislature of that government; or whether the whole proceeding should be declared void, and a new constitution called for; and which, in that event, would most probably have been the case. But the party opposed to the convention, preferred a different series of measures, whereby to forward its views; the details whereof, so far as I have any knowledge of them, I will now communicate.

The primary assemblies were to meet by law, on the 10th of Fructidor, and dissolve on the 15th. In general, however, those of Paris prolonged their sitting beyond the term appointed; and many of them declared their sessions permanent, and exhibited, in other respects, a tone of defiance and great animosity towards the existing government. Finally, however, the primary assemblies were dissolved; and after which the sections of Paris, to whom the same spirit was now communicated, became the channel, or rather the instruments, of the same policy; many of whom likewise declared their sessions permanent, and assumed, in other respects, a tone equally unfriendly and menacing towards the convention. The section of Lepelletier in particular, which is in the centre of Paris, and which always was, and still is, the theatre of the greatest gaiety and dissipation, took the lead in these councils. At one time it presented an address to the convention, copiously descanting upon the horrors of terrorism, demanding

that those who were called terrorists, should not only be inhibited the right of voting, but forthwith punished; and that the troops in the neighbourhood of Paris should be stationed further off, although there were then in the neighbourhood not more than three hundred foot, and six hundred horse, and which were there for six months before. At another time it placed, by its own arret, under the safe-guard of the primary assemblies, all those who had delivered their opinions in those assemblies, and invited the other sections of Paris to form a meeting of forty-eight commissioners, to declare to all France the sentiments of this commune upon the state of affairs in the present juncture. On the 10th Vendemiaire, this section resolved that a meeting of the electoral corps should be held at the Theatre Français on the next day, and admonished the other sections to a like concurrence; as likewise to escort the electors to the place of rendezvous, and protect the assembly whilst sitting, with an armed force, if necessary. A partial meeting was in consequence held there, and which continued its sitting for some time after a proclamation was issued by the convention, ordering the electors to disperse. Indeed it was not without great difficulty that this proclamation was read before the door of that assembly. An armed force was then ordered out under general Menou, the commandant of the guard, to support the proclamation; but they were gone before he arrived. On the 12th, this section issued other inflammatory arrets; and on the night of the 12th, another fruitless attempt was made by the government to surround the commune of the section, and secure its members; for which failure, general Menou, who withdrew the troops after he had surrounded it, was degraded, and the command transferred to Barras. On the 13th, the catastrophe took place and ended as I have already stated.

That the party in question meant to subvert the revolution, and restore the ancient monarchy, and that the destruction of the convention was the first step in the train of those measures, which were deemed necessary to accomplish it, cannot be doubted. A slight attention only to the above facts sufficiently demonstrates the truth of this assertion in all its parts. Even in the primary assemblies, a ground was taken incompatible with the present system: Some free latitude, it is true, the people have a right to take in those assemblies, however limited or special the object may be, upon which they are convened to decide. But as soon as the sections took the same ground, acting in harmony with the electoral corps, in contempt of the law, and in defiance of the convention, the case was al-

tered. From that moment rebellion was announced in form, and the sword of civil war was completely unsheathed; nor could it be restored whilst the convention survived, or without a counter-revolution, otherwise than by reducing the revolted sections to order. Fortunately the latter was the issue, and in consequence whereof every thing has since progressed as the friends of the revolution have wished. The revolted sections were immediately afterwards disarmed, and without opposition, and the electoral corps is now legally convened (those of it who have not, in dread of punishment, made their escape) and with a disposition to be more observant of the decrees, and accommodating to the existing government.

But, if this party had succeeded in its attack upon the convention, what would have followed? Would it likewise have succeeded in the other object, to which this was only a step? A conjectural answer can only be given to a suppositious case. My opinion then is, that although the impression would have been a deep one, yet the ultimate issue would have been the same. It is said, and perhaps with truth, that in case the attack succeeded, it was intended the electoral corps should immediately assemble, and place itself, in some measure, at the head of France. The overthrow of the convention would have left the nation without a government or head, to influence public measures; and in which case, this corps, being a legal one, and at the head of this great city, would have had stronger pretensions to the public attention, than any whatever. It is not, however, to be presumed, that it would have assumed the reins of government; but it would doubtless have undertaken to admonish, and the probability is, that in such a state of things, its admonition would have been regarded. With this view, it is believed that the crisis was brought on, at the precise point of time, before the meeting of the electoral assemblies, to admit, in the interval, the communication of the event (in case it were perpetrated) to all France, without allowing to the people sufficient time to recover from the dismay and confusion into which they would be thereby thrown. In such a state of things this corps might have made a great impression upon the whole nation, supported as it would appear to be, by all Paris; and as it really would be, at least to that stage, by a considerable portion. At the head of this corps was already placed the old *ci-devant* Duke of Nivernois,—a man not without some literary merit, and whose character had been so free from enormity, and his temper so dormant, that, although imprisoned, and in the list of those who were deemed, under what is called the reign of Robespierre, a fit

subject for the guillotine, yet he survived that reign, and received his life as a boon from those who were now threatened with destruction. It was said he declined the presidency; but it is also believed, that his modest disqualification was more the effect of an accurate calculation of chances, in the great game they were playing, than of principle; and of course, that if the blow succeeded, he might be prevailed on to serve. A majority of the corps, many of whom were likewise *ci-devant* nobles, was believed to be of the same principles. The nation would therefore have beheld, on the one side, the convention overthrown, perhaps massacred, and whose members were, in general, known to be attached to the revolution; and on the other, the electoral corps, with this person at its head, and which it would, of course, conclude was decidedly of opposite political principles; the latter advanced forward upon the ruin of the former, and in some sort possessed of the reins of government. Surely no opportunity more favorable to the views of the royalists could have been sought, than this would have presented. How they meant to improve it, had fortune placed them in that situation, is not known, nor is it probable it will be; for it is to be presumed, that whatever the plan was, admitting there was one already formed for such an event, it had been concerted by the leaders only, and was not to be unfolded, until after the sections were thus far plunged into the same atrocity with themselves. There were two ways by which this opportunity might have been improved; the first, by an immediate declaration of royalty; the second, by electing their own deputies, and inviting the other departments to do the same, for the purpose of putting the constitution in motion. Had the first been adopted, the nation would, doubtless, have been greatly confounded, and in the moment of dismay, the royalists would, most probably, have come forward, and the patriots lain quiet. Soon, however, in Paris herself, symptoms of discontent would have been seen, and perhaps even in some of those sections which were foremost in the revolt; many of whose citizens had joined the opposition from principle, in respect to the right of suffrage; some because they had been persecuted, or censured as terrorists, and only because they were patriots; and others because they doubted the political integrity of the present house, and wished it changed. All of these would have been struck with consternation, when they heard that a king was proclaimed, and would have looked back with horror at the scene through which they had passed.

By this time too, some of the armies would have been seen advancing towards Paris, and which would most probably have had little to do : For I am persuaded, that as soon as the citizens recovered from the extravagance into which they had been betrayed, they would be among the first to fall upon their betrayers. Had the second been adopted, it is probable it would have secured the elections in favor of the royalists ; the decrees would of course have been rejected ; nor would any of the present members have been re-elected. Soon, however, this would have been seen by the people, and being seen, half the danger would have been provided against. In the memory of those who were friendly to the revolution, and the catalogue of its friends must be a long one, counting those only whose fathers and sons were slaughtered in its defence on the frontiers, the destruction of the convention, under whose banners they had bled, would form a moral cause that would hang heavy on the shoulders of the subsequent administration. The manner of the suffrage, though in form free, would be deemed an usurpation, and the slightest deviation afterwards become a signal for revolt. If they used their power with violence, the same effect would be produced as if a king were immediately proclaimed, and if they used it with moderation they might perhaps prevent the calamity of another crisis ; and whiling away in office the time allotted by the constitution, be enabled in the interim, so far to efface the memory of whatever was passed, as to secure themselves afterwards a retreat which would exempt them from punishment. But in neither case would they be able to restore the ancient monarchy. You will observe that my reasoning is founded upon a belief that the army is sound ; that the great bulk of the citizens of Paris are so likewise ; and that the farmers or cultivators in general, if not decidedly in favor of the revolution, though in my opinion they are, are at least, not against it ; and which belief, though perhaps erroneous, is the result of an attentive observation to such facts and circumstances as have appeared to me to merit attention.

But you will ask, if Paris is on the side of the revolution, how happened that such a force was formed there against the convention, whilst so small a one was marshalled on its side ? Let us first establish facts and then reason from them. Paris consists of forty-eight sections ; and of which eight only were actually in arms against the convention, three for it, and the others neutral. Of those too, who were sent by the eight sections, it is presumable from the peremptory manner of their retreat, and the ease with which they were afterwards dis-

armed, as likewise by their uniform declarations, at the time and since,—that the greater number did not expect to be led against the convention, or if they did, that they went with reluctance; so that, in my opinion, the real force which marched out for the purpose of actual hostility was inconsiderable: And this too, it is said, was in part composed of adventurers from other quarters, and in some instances even of foreigners. Still however, there was an actual revolt by those sections, and at best a neutrality on the part of the others; the three who declared themselves for the convention excepted. How account for this? That the royalists had gained the preponderance in some few of the sections, and particularly that of Lepellétier, is certain. But that this was not the case with many is presumable. It is well known that the inhabitants of Paris in general, wished to get rid of their present deputies, and for reasons heretofore explained. The opposition to the decrees, therefore, may be thus accounted for; and with the greater propriety, because it is certain they were opposed and even by the royalists, upon republican principles; the unalienable right of suffrage, &c. and by which an impression was made in the primary assemblies upon the audience, and thence gradually extended throughout the city. In the primary assemblies too every person was allowed to speak; and it happened, that among the royalists there were some good speakers, and who by taking popular ground, engrossed for the time the public attention; by means whereof they were enabled to practise more extensively upon the credulity of the less enlightened of their countrymen, than they were aware of. It often happens when a collision takes place between friends, and even upon a trivial cause, one act of irritation begets another, till finally the parties become irreconcilable. How much more easy then was it for artful men, at the present moment, to prevail over the ignorant, and seduce them into error; especially when it is known that the latter already wished a change; that they thought they had a right to make it, and of which right they could not be deprived without the sacrifice of their liberty, in whose cause they had already so long contended, and so greatly suffered.

How explain the extraordinary phenomenon, why the very sections, who on the 4th Prairial were on opposite sides, should now shift their ground,—so as that those who then supported the convention, should now be against it, and those who opposed should now be for it? Taking the convention as the standard, it remains only in any case to explain the motive of such party as wanders from it; for that circumstance alone

creates doubt, and of course alone requires explanation. No one will ask why such a party supports the convention, because there can be no motive for such an enquiry. In some cases a party yielding such support may have less honorable motives for it than another party had. I think I have seen such myself: But in no case can the object be a counter-revolutionary one. To this enquiry then, in this view, I have already given a satisfactory answer, at least so far as I am able to do it; for I have already explained what I deemed in general the cause of the aberration of the sections upon the present occasion, as I did upon the former one; that of the Faubourg of St. Antoine and whose present conduct warrants the opinion then given upon that head.

But how happened it, that so many of the disaffected were chosen into the electoral corps, as to give the royalists a preponderance there? How could a people attached to the revolution commit the care of it to those who were its foes, especially to such as, by their station and character, were universally known to be such? This touches a subject extremely interesting; for it leads to facts over which a veil has yet been thrown, but to which history will doubtless do justice; and in which case it will present to view a scene of horror, in some respects, perhaps not less frightful than that which was exhibited under the reign of terror. Behind the curtain, as it were, for it has made but little noise in several of the departments, the terrible scourge of terror has shifted hands, and latterly been wielded by the royalists; who, beginning with the subaltern, and perhaps wicked agents of the former reign, had persecuted and murdered many of the soundest patriots, and best of men. To such a height had this evil risen, and so general was the imputation of terrorism, that in certain quarters the patriots in general were not only discouraged, but in a great measure depressed. It is affirmed to be a fact, by those who ought to know, and who merit belief, that in some of those quarters, and even where the preponderance in point of numbers was greatly in their favour, none attended the primary assemblies; and that in others a few only attended, and who took no part in the proceedings. This therefore, will account why the royalists took the lead in those assemblies, and why so many of them were chosen in the electoral corps.

But by what strange vicissitude of affairs was this effect produced? How could it happen under an administration unfriendly to royalty? In truth, the explanation is distinctly marked by preceding events, and has been in part unfolded, in preceding communications. Terrorism, or what was then

called so, the persecution of the royalists, had gone to such a length, that it became indispensibly necessary to end it. To this object, therefore, the whole force of the government was directed, and with effect, for it was accomplished. But in striking at terrorism, perhaps by the unguarded manner of the blow, perhaps by those consequences which are inseparable from such vibrations, and which I deem the most likely,—an elevation was given for a while to the opposite extreme. The terrorism of that day was the excess of the passion for liberty, but it was countenanced by those in office, as necessary in their judgment, to bring about the revolution; nor were its acts displayed in private assassinations: On the contrary, they were sanctified by public judgments and public executions. The most culpable, therefore, were those who expiated for their crimes on the 9th Thermidor. But with others in general, and even where the excess was criminal, the intention was otherwise. At that point, therefore, which discriminated between the vicious extravagancies of the moment, and the spirit of patriotism itself, should the scale have been suspended: And there by the law it was suspended; for I do not recollect any act of the convention which passed beyond it: Special outrages were, it is true, specially corrected; but even in these cases, I do not know an instance where the correction was disproportionate to the offence. But so nice was the subject upon which they had to act, and so delicate is the nerve of human sensibility, that it was impossible for the government under existing circumstances, to moderate its rigor towards the royalists, without giving, in a certain degree, encouragement to royalty. In this, therefore, it is to be presumed the late event will produce a beneficial effect; for as the views of the royalists were completely unmasked, and defeated, and which were always denied to exist, until they were thus unmasked,—it cannot otherwise than tend to open the eyes of the community in that respect, and in the degree to repress the arrogant spirit of royalty. To your judgment, however, these facts and observations, in respect to the late movement, are respectfully submitted.

I have lately been honored with your several favors of May 29th, June the 1st and 7th, and of July the 2d, 8th, 14th, 21st, 29th and 30th; all of which came to hand about the same time, and generally by the rout of England; and to which I will certainly pay the utmost attention. As, however, this letter has already gone to an unreasonable length, and especially as I wish you to be correctly informed of the character and fate of the movement in question, I think it best to despatch

this immediately, reserving a more particular reply to those favors for a future communication. For the present, however, permit me to add, that as yet no complaint has been made to me against the treaty; nor have I heard any thing from the committee on the subject, since the application requesting information, in what light they were to view the reports respecting it; and which was made soon after the treaty was concluded. If any thing is intended to be said, I think it will not be said until after the new government is organized; nor then, until after it is known that the treaty is ratified; and in which case I have reason to apprehend I shall hear from them on the subject. I trust, however, let the event in that respect, or the opinion which the committee may entertain, be what it may, I shall find that the same amicable and dispassionate councils still prevail towards us, that have been shewn for some time past. To inculcate which disposition, not only by the documents and lights derived from you, but by such others as my own imperfect experience, and often too wandering judgment, have supplied has been, and be assured will continue to be, equally the object of my most earnest wishes, and undeviating efforts.

P. S. As the vessel by which this will be forwarded will not sail until a gentleman, who is now here, arrives at Havre, I have kept the letter with me for the purpose of adding to it what might immediately happen before his departure. On the day after to-morrow, the new government is to convene, and the prospect is now favourable that it will then convene, and precisely upon the ground stated in the preceding letter. Some symptoms were latterly seen which gave cause for apprehension, that the expiring moments of the convention would be moments of great agony and convulsion. Denunciations and counter-denunciations were made, proceeding from causes connected with the late movement; but happily these are over, without producing any serious effect. A commission of five was appointed to make a supplemental report, respecting that movement, and it was expected by many it would end in a proposal to annul the proceedings of several of the departments, whose primary assemblies were said to be under constraint by the royalists, and probably also in the arrestation of several deputies; but that commission has freed every one from uneasiness on that account, by a report just made; and which proposes only some new provisions for the trial of offenders in that movement, and others in several of the departments, who have committed atrocities of various

kinds, under the pretext of punishing the terrorists. Every moment must be deemed critical, in the existing circumstances of this country; being at the eve of a great revolution, a transition from one government to another; and especially when it is known, that there is a party, not despicable in point of numbers, and less so in activity and talents, always ready to seize every incident that occurs, to throw every thing into confusion; and which party is connected, not only with the emigrants abroad, but with the surrounding powers, by whom the necessary means are furnished for the purpose. But yet it seems as if the convention would retain its strength to the last moment of its existence, and transmit its powers unimpaired to its successor. The decrees are said to be universally observed, and the leading members of both sides of the house are in general re-elected; these are to elect the others, so as to make up the two-thirds of the new government.

Lately Jourdan received a check on the other side of the Rhine, and which occasioned his falling back to the Rhine, upon which river both his and Pichegru's army are posted. The cause of this is not distinctly known; but certain it is, that the deputy of the military section of the committee of public safety has been since arrested, upon a suspicion of treachery; as are three others, upon a charge of treasonable correspondence with their enemies; but with what propriety I do not pretend to determine. It is worthy of remark, that it was known in England and in Basle before it happened, that there would be a movement here at the time it happened; at which time too, the count d'Artois landed from England upon the Isle of Dieu, near the French coast, opposite the Vendée, where he still is.

A report was yesterday made to the convention, of an important advantage gained in a rencounter in the Mediterranean, in which the French took a ship of the line and damaged greatly two others; and likewise took fourteen merchant ships richly laden and estimated at an enormous sum. Two other advantages in other quarters are spoken of, still more signal than this, but not by authority.

Moneron is returned, but whether by order of the French government (as I suspect, and in consequence of the fortunate issue of the late movement) or the failure of his mission, be it what it might, is uncertain. Be assured if Mr. Jay's treaty is ratified, it will excite great discontent here. Of this, however, I shall be able to speak with more certainty, after the new government is organized.

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, November 5th, 1795.

SIR,

ON the 27th ultimo, the convention ended its career, by declaring that its powers ceased; and immediately afterwards the installation of the new government began in the same hall, by a verification of the powers of its deputies, and their distribution into two branches, according to the mode prescribed in the constitution; and which was completed in that and the succeeding day. It was found upon inspection, that the decrees heretofore noticed, were universally obeyed; and that of the two-thirds of its legislative branches, who were to be taken from among the members of the convention, more than a majority were elected by the departments; so that the duty imposed upon those who were elected, of supplying the deficiency by their own suffrage, became proportionably more easy and less objectionable. This, therefore, was immediately executed by ballot; and after which the interior organization of each branch followed, and which took up a day or two only; then the members of the Directoire, or executive, were chosen, and which was done on the 31st ultimo, and whereby the new government was completely installed.

When I observe that the scene, which was exhibited upon this great occasion, resembled in many respects what we see daily acted on our side of the Atlantic, in our national and state assemblies, you will have a better idea of the tranquillity which reigned throughout, than I can otherwise describe.—Nor shall I be accused of an unbecoming partiality, if I draw from the increasing similitude in their and our political institutions, which this constitution and other proceedings furnish, the most favorable hopes of the future prosperity and welfare of this Republic.

The adoption of a new constitution, founded upon the equality of human rights, with its legislative powers distributed into two branches, and other improvements in the executive and judiciary departments, though still perhaps imperfect, yet certainly far beyond what past experiments here gave reason to expect,—is an event of great importance, not only to France, but perhaps to mankind in general. Its complete inauguration too assures us that its merits will be tried:

Though, indeed, under the existing circumstances of a war with the neighbouring powers, who are interested in its overthrow; of a strong party within, incessantly labouring to promote the same object; together with the derangement of the finances and other embarrassments which were inseparable from the difficulties they had to encounter;—the experiment ought not to be called a fair one. If, however, it does succeed, and the republican system is preserved here, notwithstanding the various and complicated difficulties which opposed its establishment, and still shakes its foundation,—it will certainly furnish a complete refutation of all those arguments, which have been in all ages and nations urged against the practicability of such a government, and especially in old countries.

Revcillere Lepeaux, Rewbell, Sieyes, Le Tourneur and Barras are elected into the directoire; and who are all distinguished for their talents, and integrity, as likewise their devotion to the revolution; a circumstance which not only furnishes reasonable ground whereon to estimate the principles of those who chose them, but which will likewise tend essentially to give stability to the revolution itself.

I write you at present, only to communicate this important event, and will hereafter, as heretofore, keep you regularly advised of what shall appear to me to merit communication.

P. S. Sieyes has declined accepting his seat in the directoire, and Carnot is appointed in his stead.

Mr. Fauchet is lately arrived, and as he appears to be extremely dissatisfied with Mr. Jay's treaty with Great Britain, and is apparently well received by his government, I doubt not his communications on that head will be attended to.

From Mr. Pickering, to Mr. Monroe.

DEPARTMENT OF STATE, Sept. 12th, 1795.

SIR,

THE office of secretary of state being at present vacant by the resignation of Mr. Randolph, I have it in command from the President, to acknowledge your letters dated November 7th, 1794; January 13th; February 12th, 18th; March 6th, 7th, 12th, 13th; May 7th, 17th; June 14th and 26th, 1795: And to communicate such information as the present state of things appears to require.

You have already been furnished with a copy of the treaty lately negotiated between the United States and Great Britain; but lest that should have miscarried, you will find another inclosed. This treaty has, after the most mature deliberation, been ratified by the President, on the condition proposed by the senate; and has been transmitted to London. On the presumption that it will receive an equivalent ratification on the part of Great Britain, and thus become a compact between the two nations, it is proper that you should be possessed of the opinions of the government; especially as it appears probable from your letters and from the movements of disaffected persons here, that unfavourable impressions upon the government and people of France may be apprehended. As we have ever been most sincerely desirous of cultivating friendship with that nation, the most prompt and candid measures were taken in every stage of the negotiation, to produce tranquillity and satisfaction, which the rules prescribed by custom in such cases would justify or permit. The result, now made public, will evince that the rights of France, whether founded on the laws of nations or their treaties with us, remain unviolated and unimpaired.

It is already known to you, that Mr. Jay was specially instructed by the President, to stipulate nothing with Great Britain contrary to the engagements of the United States to France. This part of the President's instructions was officially communicated to Mr. Fauchet, the minister of the Republic; and independent of the obligation impressed upon our envoy, the honor of the government became pledged, to refuse the ratification of any article derogatory from our engagements to France, which might be inadvertently admitted by our negotiator.

Accordingly, soon after the decision of the senate had been given, and previous to the ratification by the President, Mr. Adet, the present minister, was furnished with a copy of the treaty and requested to communicate his observations thereon. A copy of his letter, and of the reply of the secretary of state, are inclosed; by which you will perceive the nature of the objections which were urged, and that such explanations were immediately given and such constructions adopted, as must have been satisfactory. We infer this, no less from the explanations themselves, than from the subsequent silence of the minister.

The late conduct of Great Britain in detaining the vessels of the United States, laden with provisions and bound to France, is however calculated to create inquietude; it is,

therefore, proper to explain the 18th article more particularly than Mr. Randolph has done ; especially as this part of the treaty has been misrepresented in this country, as being unfriendly to France.

It cannot be doubted, that the United States have a powerful interest in diminishing by treaty the catalogue of contraband articles as much as possible ; to this they are invited no less by their pacific policy, which inclines them to cultivate and extend neutral rights, than by the operation of the law of nations upon several valuable articles of export, the produce of our own country. No nation can be suspected of insincerity, in the pursuit of objects connected with its immediate interest ; accordingly the most zealous exertions have been uniformly made by the United States, to establish principles favourable to free commerce. A time of war was, however, most unfavorable for this purpose, especially when the object, as in the present case, was to induce a powerful maritime nation, to make concessions in favour of a neutral and defenceless commerce.

The result of the negotiation with Great Britain has therefore shewn, that she will not relax in our favor, from the strict maxims of the law of nations, defining contraband, the principles of which are adopted in the treaty : Thus, though the first clause of the 18th article embraces general kinds of merchandize, which the policy of modern times has by special treaties admitted to be articles of free commerce ; yet it is believed, that not a single one is included as contraband, which has not been ranked as such by approved writers on the law of nations. It is not, therefore, correctly said, that we have *relinquished* any neutral rights, the exercise of which would have been beneficial to France ; and yet this is the strongest charge which has been advanced against the treaty, with the shadow of reason. The treaty has barely recited in the list of contraband, what was before so, under a law which we could not mitigate ; and though we were desirous of relaxing the rigor of this law, yet a recital of it in the present treaty, was the best which could be done, and was necessary, in order to admonish our maritime and commercial citizens of a risque which really existed.

The second clause of the 18th article clearly refers to the doctrine asserted by Great Britain, that provisions may become contraband, when destined to places not invested or blockaded. To this pretension, which is contrary to our interests, and as we are inclined to believe, unwarranted by the law of nations, especially in the extent asserted by Great Britain, we

could not accede: The opinions of our government on this subject, formerly expressed, and well known to you, being amply detailed in the correspondence of Mr. Jefferson and Mr. Pinckney in the year 1793. Though we have not been able to induce Great Britain to relinquish her construction, we have not abandoned ours; and the result has been a stipulation, that whenever provisions, and other articles, not generally contraband, shall become such and for that reason be seized, they shall not be confiscated; but paid for, with a reasonable mercantile profit, including freight and the expenses incident to the detention.

It is obvious, that if the British construction of the law of nations were admitted to be just, the stipulation in the treaty would be favourable to neutral commerce; we do not, however, admit their construction; the contrary appears from the treaty;—we have only guarded by such means as were in our power against the effects of a doctrine which has been and which will be strenuously opposed, by all reasonable means which may offer.

Whether this pretension, on the part of Great Britain, was of such a nature as ought to have been resisted by force, is a question, which it pertains to the proper authorities of the United States to decide: They are the exclusive judges, and competent guardians, of whatever concerns our interests, policy, and honor; and on these subjects, they will never ask the advice, nor be governed by the councils, of any foreign nation whatever. We acknowledge ourselves bound to stipulate nothing which may derogate from our prior engagements; this we have not done by the present treaty, and this we will never do: Even in cases where we are not bound by treaty, we will not stipulate to surrender our rights as a neutral nation, to the injury of our friends; but we must be left to determine in what manner we can most beneficially obviate an evil, and when it is proper for us to repel an injury. The present situation of Europe admonishes us to avoid the calamities of war. Having attained the possession of a free and happy government, and having nothing left to hope or desire beyond our present internal enjoyments, our solitudes are principally attracted to the vexations and depredations committed upon our commerce: These are indeed great, and are inflicted upon us by all the parties to the war; notwithstanding which, our commerce has continued to be lucrative and extensive; though, unfortunately for us, as we have no means of protecting it against injustice, it is vulnerable, in the same proportion that it is extensive.

to memorialize the Senate

The degree of security which we enjoy is well known to depend more upon the common wants of the nations at war, than upon any exertions which we can immediately make of an offensive nature: Indeed, nothing of this kind could be attempted by us, without a total sacrifice of our commerce. How preposterous is that policy which requires us to abandon and destroy the very object, for the preservation of which we are invited to commence hostilities.

It may not be amiss to dilate on the consequences of our engaging in the war against Great Britain.

1. Seeing she has the command of the sea (and appearances strongly indicate that she will maintain that command) our commerce might, in one year, be annihilated; and thousands of our seamen be shut up or dying in jails and prisonships. In addition to her fleets and cruizers now in commission, privateers would swarm, as soon as an object so alluring and so assailable as the American commerce, should present. If we look back to the last two years of our revolution war a judgment may be formed on this point. A striking defect in her naval arrangements in preceding years left our ports open for the entry of commerce, for the equipping of privateers, and the introduction of prizes. A different arrangement in the latter period of that war totally changed the scene. The small privateers were hauled up, as no longer able to cope even with their armed merchantmen; and the larger privateers were taken. Our mercantile shipping fell, at the same time, a sacrifice to the vigilant operations of the British navy. At the present moment her naval power is extended beyond all former examples; while that of her enemies is at least not increased.

2. Our landed, as well as commercial, interests would suffer beyond all calculation. Agriculture, above the supply of our own wants, would be suspended, or its produce perish on our hands. The value of our lands, and every species of domestic property, would sink.

3. The sources of revenue failing, public credit would be destroyed, and multitudes of our citizens, now depending on its preservation, be involved in ruin. The people at large, from the summit of prosperity, would be plunged into an abyss of misery, too sudden, and too severe, patiently to be borne. To increase their calamities, or make them felt more sensibly, direct taxes must be levied to support the war. And it would be happy for us, if we could contemplate only a foreign war, in which all hearts and hands might be united.

4. Under the circumstances mentioned, a war with Great Britain would be essentially injurious to France. With our own principal ports blocked up, and her sea-coast lined (as at present) with British cruizers, there would be an end to our intercourse with France. And it is by our commerce only that we can give her any valuable aid. Men she wants not; and if she did want, we could not transport them. A fruitless diversion, on the side of Canada, would nearly bound our efforts. But while we continue our neutrality, the benefits we may render to France and her colonies are immense. And, though the renewal of the order for capturing neutral vessels laden with provisions, while extremely vexatious to us, adds to their distresses, yet the tenor of the 18th article of our late treaty with Great Britain, though with some a subject of clamour, will remedy, in a degree, the mischievous tendency of that order: For the article, far from giving a right to Great Britain to capture our provision vessels, only prescribes the course to be taken, when, by the law of nations, provisions become contraband. They are not to be confiscated, but paid for, with a reasonable mercantile profit. What will be the operation of this provision? Will it check, or encourage, adventures to France? We think, the latter: For if our vessels reach the French ports, all the expected profits of the voyage will be gained: If they are taken by the British, although there may be less profit, there can be no loss. Consequently, instead of discouraging, this article will rather promote, the exportation of provisions for France; for, in the event of *arrival* or *capture*, the American merchant is certain of making a *profitable voyage*.

That this article in the treaty respecting provisions has had no influence in the measures of the British cabinet, is clear to a demonstration: For the order, so far as we are informed, extends to other neutral nations with whom there is no similar stipulation. And before the article existed, we too well knew the conduct of that court was the same. And claiming, as an independent nation, the right of judging in such case, it was evidently expedient for the United States to obtain from her some stipulation which, without admitting her claim, would not leave our commerce to future spoliations, without any definite means of liquidation or redress.

Some men, forgetting their own professed principles, when they advert only to our relation to Great Britain; forgetting that they are the citizens of an independent state, have said, that while France with whom we have a treaty of amity and commerce was at war, we ought not form with her enemy a

familiar treaty, by which our situation would be changed. But where is the principle to support this rule; and where will it find any limits? We have treaties with many other powers; one or the other of whom may be always at war; are we never then to make another treaty?

Others have said, France will be *displeased*. This we should regret, for two reasons: One because we really wish to please our old and friendly allies; the other, because we desire to see, and doubt not we shall see, her deportment towards us correspond with her own fundamental principle: That every independent nation has an exclusive right to manage its own affairs. All our external duties center here: That in our new engagements we violate no prior obligation.

That France should manifest a watchful jealousy of any connections we might form with her ancient and inveterate enemy, is perfectly natural. It is the same spirit which prompted her to afford us that efficient aid, which was so important to the achieving of our independence. By breaking off so large a portion of the British Empire, the power of a formidable rival was essentially diminished. No wonder she should now be alive to the remotest prospect of re-union; not of government, but of interests and good-will. But to the following positions you may give all the solemnity of truths.

1st. *That the late negotiation has not proceeded from any predilection in our government towards Great Britain.* We abide by our original declaration respecting the British: 'We hold them, as we hold the rest of mankind, enemies in war, in peace friends.'

2d. *That, from the remembrance of a long, bloody and distressing war, from which we were just beginning to recover, and to taste the blessings of peace, whatever even SEEMED to tend to a renewal of it, was seriously deprecated.*

3d. *That there were many causes of difference between us and Great Britain, the adjustment of which admitted of no longer delay.* One was the detention of the western posts, under a real or affected belief that the United States were the first to infringe the peace of 1783. From this detention resulted a bloody and expensive Indian war; a loss of revenue by the suspension of the sale of lands; and a deprivation of the fur trade. To these were added fresh excitements to a more extended Indian war, and the vexations and ruinous spoliations of our commerce. Our differences on these and other grounds had risen to a height that required an immediate remedy. War or negotiation were the alternatives. We chose

the latter. Had this failed, war seemed scarcely avoidable. But in that case, these good effects were counted upon. The consciousness of using the proper means of averting so great a calamity; union among ourselves, when war should have appeared inevitable; and division among our enemies who should have refused an amicable settlement of our just demands: Besides which we gained time for preparation.

4th. *That the commercial part of the treaty, though not unimportant, was but a subordinate object, and at the same time not a new measure.* This is well known to every well informed citizen of the United States. It is a fact, that a commercial treaty has been sought after ever since the peace; under the old government, and since the establishment of the new one. It is a fact, that upon the arrival of Mr. Hammond, the British minister, and an intimation that he was empowered to enter into commercial arrangements, he was met with avidity by Mr. Jefferson, the secretary of state: And when it was discovered that his powers extended only to an inconclusive discussion of this subject, disappointment and chagrin were the result. It may be added, that measures have been proposed and powerfully supported in the legislature, the sole object of which was to force Great Britain into a commercial treaty.

5th. *That the government of the United States is sincerely friendly to the French nation.* The latter, doubtless, believes that the body of American citizens are well affected towards them. The belief is well founded: But it is equally applicable to those in the administration of the government. If any thing could weaken this general attachment, it would be a recurrence to such disorganizing projects, and outrages on the sovereignty and dignity of the United States, as marked and disgraced the ministry of Genet. The precipitate, and in the main, ill-founded resolutions of a few small popular meetings, are not to be taken as true indications of the American sentiment. Very different is the opinion of the great body of the people. These are beyond example prosperous, contented and happy. Where any symptoms of another nature have appeared, they are to be traced to ignorant and perverse misrepresentations of the treaty. This, as it becomes better understood, is more and more approved.

That the treaty would settle every point in dispute entirely to our satisfaction, and secure to us all the commercial advantages we could wish for, no reasonable man could expect. Our antagonists too had claims, opinions and wishes. And where there are opposing interests, nations as well as individuals are likely to make erroneous estimates of their respective

Refraining from the same is a mistake

rights. When, therefore, every argument was exhausted, and found unavailing to settle the disputed points more to our advantage, the terms as we see them were adopted. The senate, after a very deliberate discussion and consideration of the treaty, in all its relations, advised its ratification, on the condition stated in their resolution: And, on that condition, it has received the President's sanction. It now rests with the king of Great Britain to give or withhold his assent: We are disposed to think that his assent will be given: For it is the interest of Great Britain not to increase the number of her enemies, or to deprive herself of the benefits of a commercial intercourse with the United States. It is not less our interest to remain at peace; and the President, as the first minister of good to the people, is bound to take all reasonable and prudent means to preserve it. Peace is the ordinary and eligible state of our nation; and your duties as its agent abroad result from this condition of our country. And as nothing has yet happened which renders it in any degree probable, that the United States will become a party in the existing war, every intimation which may invite the expectations and enterprizes of the French government, calculating on such an event, is therefore carefully to be avoided.

I am, &c.

TIMOTHY PICKERING.

From Mr. Pickering, to Mr. Monroe.

DEPARTMENT OF STATE.

September 14th, 1795.

SIR,

BEFORE this letter reaches you, inofficial information will probably get to hand, of the outrage committed by the British man of war the *Africa*, commanded by captain Rodham Home, in his attempt to take Mr. Fauchet and his papers, on his passage from New-York down the sound to Newport; where he was to embark for France, in the frigate *Medusa*. The station taken by the *Africa*, in the waters of the state of Rhode-Island, seems to have suggested to the people at Newport the idea that she intended to intercept Mr. Fauchet. An express, therefore, was sent to Stonington in Connecticut, where the sloop in which Mr. Fauchet had embarked was de-

tained by contrary winds, to warn him of his danger. He then quitted the sloop; and, taking his valuable papers with him, pursued his journey by land.

Captain Home made the expected attempt; the sloop was brought to, and two officers of the *Africa* went on board to search and take Mr. Fauchet, or his papers, or both;—captain Home, it seems, said the object was to take his papers only; and accordingly, finding that those of value had been landed with Mr. Fauchet, the rest were returned unopened. The particulars of this action are stated in the deposition of captain Thomas Blifs, the master of the packet in which Mr. Fauchet had embarked, of which a copy is inclosed. You will also find inclosed, the copy of an insolent letter from Captain Home for the Governor of Rhode-Island, to be conveyed through the British vice-consul, Mr. Moore; who was so indiscreet, and so little respected the dignity of our government, as to send the governor a copy of it.

These evidences of the outrage and insulting conduct of Captain Home, with the co-operation of Mr. Moore, were communicated to the British minister and chargé des affaires; and the expectations of government of reparation announced. For this purpose, and to give opportunity for counter-representations and explanations, time was necessary. Time accordingly was given: For justice as well as prudence required an observation of the maxim: *Audi alteram partem*.

After a reasonable time had elapsed, and no satisfactory explanations or counter-proofs being offered, the President decided on the measures he would take. These you will find in the inclosed copy of my letter of the 5th instant, to Governor Fenner. Besides which, the minister of the United States in London, is charged ‘fully to represent these outrages of Captain Home, and to press for such reparation as the nature of the case authorises the President to demand. What this should be it was not necessary to specify. The President relies that his Britannic majesty will duly estimate the injuries and insults proved to have been committed by Captain Home, against the United States; and inflict upon him such exemplary punishment as his aggravated offences deserve; as the violated rights of a sovereign state require; and as it will become the justice and honor of his majesty’s government to impose.’

The letter before mentioned, to Governor Fenner, was sent from Philadelphia by the post, on Saturday the 5th instant, when it bears date. On the *Monday following*, intelligence was received that the *Medusa* had failed on the first; and that

the Africa in two or three hours afterwards got under way to pursue her. I am particular in stating the days when the President's orders to Governor Fenner were despatched, and when the first information reached Philadelphia that the Medusa had failed; because it is not improbable that the suspension of those orders may be represented as calculated to be inoperative; and it may be suggested, that they were not issued finally, until it was known that the Africa had left the waters of Rhode-Island. But the facts are as I have stated them; and the true and only causes of the suspension are those which I have mention, and which you will see in the letter to Governor Fenner.

The circumstances in respect to wind and weather under which the Medusa failed, joined with her swift sailing, enabled her to escape from the Africa, which has since returned to her former station at Rhode-Island. The President's orders, prohibiting all intercourse with her, will now come into operation: And for her additional violation of the rights of a neutral nation, in immediately pursuing the Medusa, a new demand of satisfaction will be made on the British government. A naval force to *compel* a due respect to our rights on the water you know we do not possess.

I have the pleasure to inform you, that peace with all the Indians on our frontiers is at length accomplished. Georgia and the South Western territory have, for some months past, enjoyed tranquillity; and the most prejudiced against the Creeks, believe their pacification sincere. On the 3d of August, general Wayne concluded a treaty with all the Western Indians. This fact is declared in a letter of that date from the quarter-master-general, at head-quarters, to his deputy, major Craig, at Pittsburg; so I rely upon it. I suppose general Wayne must have sent off the official account, with the treaty, by one of his aids, whose arrival I daily expect.

Quiet possession has been taken of Presqu'isle; where some works are now erecting, for the protection of the inhabitants, and the security of our garrison.

But for the vexations on our commerce by the belligerent powers (for they are not confined to the British) we should enjoy perfect repose, amidst unexampled prosperity.

I am, &c.

TIMOTHY PICKERING.

From the Minister of Foreign Relations, to the Minister Plenipotentiary of the United States of America.

Paris, 16th Brumaire, 3d Year of the Republic.

(November 7th, 1795.)

SIR,

I NOTIFY you, that the executive directory has confided to me the Ministry of Foreign Relations. Be assured, that in accepting this station, I have considered as one of its most important functions, that of keeping up the friendship which subsists between the French Republic and your government, and that I shall seize, with eagerness, every opportunity to tighten its bonds.

CH. DE LA CROIX,

Minister of Foreign Affairs.

From Mr. Monroe, to the Minister of Foreign Relations,

Paris, November 10th, 1795.

I RECEIVED yesterday, with pleasure, the notification you were pleased to give me, of your appointment by the directory, to the office of Foreign Relations; and beg leave to assure you, that, as a cultivation of the amity and good understanding which subsists between the two Republics, was a principal object of my mission here, so I shall always be happy in meeting you, in all those measures which may be deemed best calculated to promote that desirable end.

[No. XXV.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, December 6th, 1795.

SIR,

I WAS lately honored with originals and triplicates of your favors of the 12th and 14th of September last. The duplicates are yet to be received.

By the first of these letters, I learn that the president has ratified the late treaty with England: And by the second, the measures taken to vindicate our territorial rights, that were violated by the captain of a British frigate, in an attempt to seize Mr. Fauchet, the late French minister, within our jurisdiction, on his return home; and to which communications due regard shall be paid, as occasion requires.

That the treaty was ratified, was a fact well established here, before the receipt of your favor. It was, indeed, generally credited before the arrival of Mr. Fauchet; by whom it was confirmed, and afterwards doubted by none. As I had no reason to conclude, from any communication from your department, that the contrary would be the case, so I had never calculated on the contrary; nor had I given this government any reason to calculate on the contrary; having left it to form its own judgment on that point, according to its own lights; so that, in this respect, I have nothing wherewith to reproach myself on the score of discretion.

The effect which this incident produced in the councils of this country, through its several stages, may be traced in my former communications; and to which I beg to refer you. To these I have, at present, nothing material new to add. Symptoms of discontent, it is true, are still seen; but whether they will assume an aspect more unpleasant, I know not: If they do, or any thing occurs of sufficient importance to merit your attention, I will certainly apprise you of it, and without delay.

You likewise saw, by my former communications, that I understood and acted upon that part of my instructions, which explained the object of Mr. Jay's mission to England, differently from what it appears, by your favor of the 12th of September, and by Mr. Randolph's of the 1st of June preceding, it was intended I should understand and act on it; and whereby I was placed, by the course of events, in a very delicate and embarrassing dilemma; from which, indeed, I am not yet perhaps fully extricated; though I hope and think I am. Upon this head, I have only now to observe, that as soon as I had reason to believe, that Mr. Jay's instructions embraced objects which I had before thought they did not, I profited of what I heard, and acted accordingly; keeping out of view, so far as depended on me, what had before passed between the government and myself upon that subject, and to which I with pleasure add, that I have never heard the least intimation on it since. In reviewing this particular trait in my conduct here, you will, I doubt not, do me the justice to observe, that

when I made the suggestion alluded to, it was not rashly done, nor without sufficient motive; on the contrary, that (paying due regard to the actual state of our affairs at the time) I was called on to make it by considerations the most weighty, and which ought not to have been dispensed with; considerations, however, which I now forbear to repeat, having heretofore sufficiently unfolded them.

I have the pleasure to inclose you the report of Mr. Skipwith, upon the subject of the claims of many of our citizens who were heretofore injured by the occurrences of the war, and in consequence intitled to indemnities; and by which you will find that many of those claims are settled; and derive useful information in respect to others.

I likewise send you a letter from Mr. Fenwick, explaining his conduct in regard to the charge exhibited against him in your department. As Mr. Fenwick has always proved himself to be an useful, indeed a valuable, officer in the station he holds, and as the error imputed to him might be the effect of judgment only, and which I think it was,—I have thought I could not better forward your views or the interest of my country, than by continuing him in the discharge of the duties of his office, till the President shall finally decide in his case. He will, doubtless, communicate with you on the subject; so that the interval will not be great before I have the decision in question, and which will, of course, be duly executed.

Two days since, count Carletti, minister from Tuscany, was, in consequence of some offence given by him to the government, ordered to depart from Paris in 48 hours, and the bounds of the republic in eight days. 'Tis said the offence consisted in a demand made to visit the daughter of the late king, of whom he spoke in terms of extreme commiseration; and which was thought to be, not only an interference in concerns exclusively their own, but to have thrown some reproach on the French government. The count, I hear, departs to-night by the way of Marseilles.

Soon after the government was organized, the minister of foreign affairs announced a day on which the directoire would receive the ministers of foreign powers; and who were requested to rendezvous for that purpose at his house, to proceed thence to that of the directoire. We did so, and were presented, without regard to precedence, to that body, and whose president addressed the whole diplomatic corps in a short discourse; the principal object of which was, to assure it of the cordiality with which it was welcomed here by the re-

présentatives of the French people, which he contrasted with the pomp and ceremony of the ancient court; which, he said, was neither cordial nor fraternal. I mention this latter circumstance merely to contradict the account given of the address by the journalists, and who made a particular speech for the president to each minister.

Manheim has certainly fallen again into the hands of the Austrians, with the garrison; the amount of which is not known, but presumed to be several thousands. But in Italy, the fortune of the war is on the side of France; for the same day which announced the capture of Manheim, announced likewise a great and decisive victory over the Austrians, in the other quarter. The details of the killed and wounded are also not yet accurately known; but it is understood that four or five thousand are taken prisoners, many slain, and the whole army put completely to rout.

Since the organization of the new government, the character and department of all the departments are essentially improved. The legislative corps, in both its branches, exhibits, in the manner of discussion, a spectacle wonderfully impressive in its favor, when compared with what was daily seen in the late convention. And the executive departments begin to shew an energy which grows out of the nice partition of their duties, and the greater responsibility that belongs to each. In truth, the vibration from the system of terror had, by the force of moral causes, gone so far, and produced so deep an effect, as to have greatly relaxed the whole machine of government. It was certainly felt in the departments, in the public councils, in foreign negotiations, and in the armies. A short space of time, however, will now shew how far the change, which has taken place in the government, will furnish the means of an adequate remedy.

Mr. Pinckney has, I heard, closed his business in Spain to his satisfaction; and is now on his route back, intending to take Paris in his way. I trust this report is, in every respect, well founded; of which, however, you will doubtless be correctly informed, before this reaches you.

P. S. Count Carletti has notified to the French government, that he cannot depart without the consent of his own.

From Mr. Pickering, to Mr. Monroe.

DEPARTMENT OF STATE,

October 9th, 1795.

SIR,

THIS serves merely to acknowledge the receipt (on the 7th instant) of your letter of the 4th of July, with its inclosures.

The president is now at Mount Vernon: This forbids my saying any thing on the subject of baron Stael's application. Besides, I do not conceive that the executive could even attempt to negotiate about it, until congress should provide the means of rendering an agreement efficient. The proposition, with a copy of the convention between Sweden and Denmark, I find were transmitted from London by Mr. Pinckney, in his letter of the 8th of last May: It does not appear when they were received at this office.

I have the honor to be, &c.

TIMOTHY PICKERING.

[No. XXVI.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, December 22d, 1795.

SIR,

SINCE my last, I was favored with yours of the 9th of October, and a quadruplicate of that of the 12th of September; of which latter, the original and triplicate were before acknowledged.

Since my last, too, I have received a note from the minister of foreign affairs, complaining of the conduct of Mr. Parish, our consul at Hamburgh, in granting passports for France to British subjects, equipping the emigrants, and acting in all cases as the English agent; a copy of which note, and of my reply, are herewith forwarded you. I hear, also, that his conduct was even more reprehensible than is stated by the minister; for that he not only equipped the emigrants, but did it

in American bottoms, with a view of protecting them under our flag. In calling your attention to this subject, permit me to add, that two American citizens, Benjamin Jarvis and Thomas Randall, both of New-York, the former a respectable merchant, as has been represented to me, and the latter known to the president as captain of artillery in the late war, and lately as vice-consul at Canton in China,—have requested me to communicate to you their wish to obtain appointments in the consulate, in any of the respectable ports of France, or other European ports connected with the trade of France; and that I have reason to believe they would, either of them, be happy to accept the appointment in question. In case Mr. Parish is removed, permit me further to suggest the propriety of giving to his successor two commissions; one for Hamburg, and the other for Altona, in the neighbourhood of Hamburg, but under the jurisdiction of Denmark. Much business is done at Altona, on account of the greater freedom of its trade; for Hamburg, though in some respects a free and independent city, yet in others it feels the influence of the Emperor; and is therefore a less eligible port for mercantile transactions, and especially those connected with France.

I sent you with my last a report of Mr. Skipwith, upon the cases submitted to his care, for adjustment with this government; and shall continue to give him all the aid in my power in those cases which remain unsettled, and apprise you regularly of the progress. To that of Mr. Girard, due attention shall certainly be paid.

At present no symptoms of an approaching peace are to be seen; unless, indeed, the most vigorous preparations for the continuance of war may be deemed such; and which sometimes happens. The directoire has called on the legislature for a supply of six hundred millions, in specie, which was immediately granted by a law which proposes raising it in the form of a loan; of which I send you a copy. The greatest possible exertions are making by that body, and which seem to be supported by the legislature, in putting the armies, the fleets and the interior into the best possible order; and so far as I can judge from appearances, these exertions seem to produce the effects that are desired from them; for to those who are friendly to the revolution they give confidence; and from those who are not, they command respect. 'Tis said, that Pichegru and Jourdan have lately gained several important advantages over the Austrians, in actions which, though not general, were nearly so; and that, in the result, they have resumed their station before Mayence. The former part of this report is, I be-

lieve, to be depended on; the latter wants confirmation. In Italy the troops of this Republic continue to reap new successes; in which quarter indeed, since the victory mentioned in my last, they have met with but little opposition.

Latterly the views of Prussia have become more doubtful than they were before. The conduct of Prince Hohenloe, who commanded the Prussian troops at Francfort, in the neighbourhood of the French and Austrian armies, during the retreat of the former, and who were stationed there to preserve the line of neutrality in favor of Prussia, 'tis said, could scarcely be deemed neutral. For the civilities which were shewn by him to the Austrians upon that occasion, 'tis said, he has been rewarded since by some complimentary attention from the Emperor. The Dutch appear apprehensive that the king of Prussia will seize a suitable opportunity, if any offers, to favor the restoration of the Stadtholder; and 'tis possible the conduct of the Prince Hohenloe, above referred to, may have increased that suspicion, by giving an insight into what might be the views of the Prussian cabinet, in case the retreat had continued; or any great reverse of fortune should hereafter befall the French arms. 'Tis certain, however, that moments of difficulty are always moments of great jealousy; and that sometimes, upon such occasions, suspicion is thrown upon those who do not deserve it.

The Count Carletti, late envoy, &c. from Tuscany, left Paris some four or five days since. He had refused going 'till he had heard from the Grand Duke; and remained notwithstanding the reiterated orders of the directoire. Finally, however, he was ordered to depart in twenty-four hours (this was not done before, as I stated in my last) with intimation that force would be used to compel him, in case he did not. He still held out, however, the flag of defiance. The twenty-four hours expired, at which moment a commissary, with a carriage from the government, waited to receive his orders for departure; or in other words, to take the Count by force, and conduct him safe beyond the bounds of the Republic; which was accordingly done. The diplomatic corps was summoned, by a member either averse to this peremptory mode of proceeding, or friendly to the count, to interfere with the directoire in his behalf: But several members of that corps were of opinion, that although sometimes a demand is made on the government of a minister who gives offence, to recall him; yet there is no obligation on the government offended, by the law of nations, to take that course; but that it may take any other, and even upon slight occasions, to rid it-

self of him, more prompt and summary, if it thinks fit; and in consequence no step was taken by the diplomatic corps, upon the subject.

I inclose you also a note from the minister of foreign affairs, complaining of the seizure and condemnation of the Corvette *Cassius*; which, he says, is in violation of the treaties between the two Republics; and to which I replied, that I would present the subject to your attention; and doubted not I should be enabled to give a satisfactory answer thereon.

From the Minister of Foreign Affairs, to the Minister Plenipotentiary of the United States of America.

Paris, 13th Frimaire, 4th Year of the Republic.

(December 5th, 1795.)

THE executive directory has charged me to request you to transmit to your government the complaint of ours against Mr. Parish, American consul at Hamburg. This consul grants passports to the English, under the title of Anglo-Americans, and thus favors their entrance upon the French territory. He is the avowed agent of England, for the equipment of the emigrants. This conduct is a manifest violation of the faith of treaties: It has surprized the directory. In effect, can means be devised more dangerous whereby to attack our liberty, than by the introduction into France, under the fraudulent external of fraternity, our most perfidious enemies? Who could believe that an American consul would stain himself with this crime in the face of Europe, and thus betray his trust?

The directory is persuaded, Citizen Minister, that you will supervise the passports which are presented you from Mr. Parish, and that you will detect, as far as in your power, the criminal frauds, which take place in this essential branch of the national police.

The directory expects from your patriotism, and your attachment to the French Republic, the faithful ally of yours, that this dangerous abuse shall be suppressed, and that you will suspend its effect, by refusing your seal to all passports whose bearers shall appear to you of suspicious characters; and I pray you to inform me of such cases, that I may be enabled likewise to take the same precautions.

I invite you also, by order of the directory, to have the goodness to transmit this note to the government of the United States; and to solicit of it the immediate recall of Mr. Parish. Our minister plenipotentiary at Philadelphia, is charged to make a formal requisition to that effect.

Signed)

CH. DE LA CROIX.

From the Minister Plenipotentiary of the United States of America, to the Minister of Exterior Relations.

Paris, December 9th, 1795.

I HAVE received your favor of the 4th instant, and hear with concern, that Mr. Parish, the American consul at Hamburg, has so far forgotten the duties of his office, (to which the intimate connection and amity that subsists between our two governments, should have made him the more attentive) as to grant passports to English subjects, whereby they are admitted here as American citizens; to accept in any respect the employment or agency of England or any other power at war with you, and especially in the very improper instance you mention. Be assured, Citizen, that I will immediately communicate your note to the government I represent; and from which you may with equal certainty confide, such conduct will receive the censure it merits. Upon this head, permit me to add, that as our consular arrangements are very extensive, embracing all the European ports, in many of which we have no resident citizen, we are forced to appoint, in such case, some inhabitant of the place; as was the case in the present instance. This will account why the character of the person is sometimes little known, and of course how our government is sometimes imposed on in that respect.

I have long since, and still make it my invariable rule, to grant passports to none whom I do not know, by satisfactory documents, to be American citizens; and no documents are admitted, in case of doubt, but the certificates of American citizens. I am, therefore, persuaded that in the list of those now in France, protected by my passports, you will not find one who is not strictly entitled to it. All those who have not my passports are, of course, subject to the animadversion of your police.

From the Minister of Foreign Affairs, to the Minister Plenipotentiary of the United States of America.

Paris, 23d Frimaire, 4th Year of the Republic.

(December 14th, 1795.)

I AM informed by a letter from the consul of the French Republic at Philadelphia, and by the process-verbal of an officer of the Corvette Cassius, that this vessel has been confiscated by the government of the United States. There results, from this extraordinary measure, great injury to the Republic, besides the desertion of the greater part of the mariners. The envoy of the Republic appears to have made, at this period, fruitless efforts to obtain satisfaction for the injury done to the French flag, in the case of this Corvette. I advise you that I have written to our envoy in Philadelphia, to pursue with earnestness this affair to a close: And that you may employ your good offices to fix the attention of your government upon the violation, whereof I render you an account, I make to you this communication; which I do, from a conviction, that you will concur with me in whatever is necessary to maintain or even improve the connections of two people, who are approached by friendship, although they inhabit the extremities of the globe.

(Signed) CH. DE LA CROIX.

From the Minister Plenipotentiary of the United States of America, to the Minister of Foreign Affairs.

Paris, December 19th, 1795.

I HAVE received your letter of the 23d Frimaire (14th December) by which you advise me of the confiscation of the Corvette Cassius, belonging to this Republic, by the American government; and desiring me to call the attention of our government to that subject. I beg to assure you, that I shall not fail to communicate your wishes in that respect without delay; and that it is my ardent desire, not only to distance all possible cause of misunderstanding, but to strengthen the bonds which at present unite the two republics.



FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, January 26th, 1796.

SOME weeks past, the property of William Vans, a citizen of the United States, was attached by Joseph Sands, another citizen of the said states, in a tribunal of France at Havre ; where the cause was sustained, and judgment rendered in favor of the plaintiff. From this judgment the defendant appealed to the Superior Tribunal of the department at Rouen, where I believe it is now depending. As soon as the suit commenced, Mr. Vans applied for my interference ; claiming, by the 12th article of the consular convention between the two republics, an exemption, at the instance of a fellow citizen, from the tribunals of the country ; the cognizance of such controversies being, as he supposed, thereby exclusively vested in the consuls of each nation, within the jurisdiction of the other. I examined attentively the convention, and was of opinion, that the construction insisted on by Mr. Vans was found ; but yet as the subject was important in respect to the principle, and questionable in point of policy, I wished to decline any interference in it, till I had your instruction. He continued, however, to press me ; saying that if such was the import of the article, it vested in him a right which I ought to secure him the enjoyment of ; the deprivation of which too in the present instance would be his ruin ; for that the execution of the judgment by the sale of the merchandizes attached at Havre, where there was no demand for it, would not only subject him to a severe loss ; but that he was likewise sued for the same sum in America, and where judgment would probably, likewise, be rendered against him. Finally, therefore, I did apply in his behalf, by a letter to the minister of foreign relations, of which I send you a copy ; explaining my idea of the import of the treaty in the case in question ; and requesting that the executive (so far as depended on that branch, and provided it concurred with me in opinion) might cause the same to be executed ; and to which I have yet received no answer, though I am assured verbally, that the directoire concurs with me in the construction ; and that a correspondent intimation thereon will be given by the minister of justice, to the court where the suit now is ; with

whom it will probably be decisive. I state this case that you may apprise me how it is the wish of the President I should act in cases of the kind in future, and even in the present one, if not finally settled before I hear from you; and which may probably happen. If it is wished that such controversies should be decided by the courts of the country, I doubt not such a construction and practice will be agreeable to this government; but if the contrary is preferred, you will, I presume, see the necessity of prescribing by the suitable authority, how the consular courts are to be held; how their process is to be executed, and appeals conducted.

As connected with this subject, permit me to call your attention to another, upon which I likewise wish to be instructed. For the port of Havre there are at present two consuls, or rather a consul and a vice-consul; both of whom, Mr. Cutting and Mr. Lamotte, are recognized by this government. Was it intended the latter commission should supercede the former; or is it intended that both should exist at the same time; the power of the vice-consul being dormant only when the consul is present? I wish to know in what light I am to consider these appointments, since thereby I shall likewise know to whom I am to look for the performance of the consular duties of this port.*

A third one of the same kind occurs, and which I think proper to mention to you. Sometime since, Mr. Pitcairn was appointed vice-consul for Paris, and in respect to which appointment, I deemed it my duty to present before you several considerations, growing out of his character, as a British subject, and the actual state of things here; which made it inexpedient to demand his recognition of this government, until after they were weighed, and I in consequence further instructed on that head. These were stated in my letter of the 17th of May last, and to which, as yet, I have received no answer. As Mr. Pitcairn probably expects to hear from me on this topic, I shall thank you for information of what I am to say to him, and how I am to act in that respect.

The collection of the forced loan continues, and will, I think, succeed. But what its product will be, is a point upon which there is a diversity of opinion. Some think it will fall short of the sum at which it was estimated, whilst others carry it much beyond that estimation. Certain, however, it is that by means thereof the embarrassments of the govern-

* Both of these gentlemen are men of merit and great respectability. I wished only the principle settled.

ment will for the present be relieved, and time given for the maturity and adoption of a more complete system of finance; which subject is now under consideration of the council of five hundred.

About the twenty-fifth of December last a truce was asked by the Austrian generals Wurmser and Clairfayt, of Pichegru and Jourdan, for three months, and granted, subject to the will of the directoire; by whom it is said it was allowed for one only; the report at first circulated, that it was wholly rejected, being without foundation. Whether it will be prolonged, admitting the term as here stated to be correct, is unknown; as likewise is the motive of Austria in asking, or of France in granting, it. The presumption is, it was to try the experiment of negotiation in the interim; and such is the report: And it is likewise presumable, that such an experiment was made or is now making; but from what I can learn, there is little prospect of its producing a peace. It will be difficult to part Austria from England, whilst the latter supplies the former with money to carry on the war; and which she will probably continue to do whilst she carries it on herself. The present prospect, therefore is, that Europe is destined to sustain the waste and havock of another campaign; for, superior as England is at sea, with the recent conquest of the Cape of Good-Hope, it is not probable, if she escapes an internal convulsion, the symptoms of which have diminished of late, that she will restore every thing on her part and leave France in possession of the Belgic; and without which, I think France will not make peace. A doubt, indeed, has latterly been circulated, whether England will make any sacrifice in favor of the emperor; whether, in short, she would agree to restore the possessions taken by her from France and Holland, as a consideration for the restoration of the Belgic to the Emperor. It is even added, that intimations have been made by her, that if France will leave her in possession of her conquests from Holland, she will restore every thing taken from France, and leave her in possession of St. Domingo and the Belgic. If this be true, and it be credited by the Emperor, it will certainly tend to weaken and perhaps absolutely to dissolve the connection between England and Austria.

I communicated to you in two preceding letters, the application of Count Carlotti, minister from Tuscany for permission to visit the *unfortunate young princess*, &c. and the displeasure which that demand gave to the directoire, who suspended his powers immediately; ordered him to leave the Republic forthwith; and, finally, sent him by force beyond its

limits. It was apprehended by many, that this peremptory mode of proceeding would give offence to the Grand Duke; the contrary, however, was the case; for as soon as he heard of the transaction, he despatched another envoy to the directoire, to disavow the demand of Carlotti, and declare his respect for the French government; and such was the solicitude for his hasty departure, that he actually departed without the ordinary credentials, bearing simply a letter of introduction from the Grand Duke himself. Thus, therefore, this business has ended without producing any injury to the French Republic, whilst it is a proof of the energy of its councils and of its decision upon the delicate subject to which it refers.

On the 21st instant, being the anniversary of the execution of the late King, the members of the legislative corps of the directoire, and all public officers, took a new and solemn oath to support the constitution, or rather of hatred to royalty. The directoire gave, on the same day, what is called a *fete* in the champ de Mars; where an amphitheatre was erected, and from whence the President, surrounded by the other members and all the ministers of the government, delivered an oration suited to the occasion, to a numerous audience. It seems to be the policy of the existing government to revive the zeal of the people in favor of the Republic and of the revolution; and measures of this kind are certainly well calculated to produce that effect.

P. S. Since writing the above, I have heard, through a channel that merits confidence, that the term of the truce is prolonged, and which strengthens what I intimated above, that a negociation is depending with Austria. The recent departure too of one of the Dutch ministers for Holland, after a conference with the directoire, and which took place about the time the truce was probably prolonged,—is a circumstance which I think proper to communicate; since it gives cause to suspect, if a negociation is depending, it treats for a general and not a partial peace.

From the Minister Plenipotentiary of the United States of America, to the Minister of Exterior Relations.

Paris, December 1st, 1795.

CITIZEN MINISTER,

I OBSERVE by record of the proceedings of the tribunal of commerce at Havre, of which I send you a copy, that a dispute

is introduced and sustained, there between Joseph Sands and William Vans, two American citizens; relative to a bill of exchange drawn from America, which belongs exclusively to one of the parties. The property of Vans was arrested by Sands, and condemned by the court of Havre, in satisfaction of the claim above mentioned; and from which decision it is carried by appeal to the superior court at Rouen, where it now is. In this stage I have thought proper to call your attention to the subject, that in case the executive government of this Republic should deem it proper to interpose, it may be able to do it with effect.

By the 12th article of the consular convention between France and the United States, it is stipulated, that all disputes which may happen between the citizens of either party, in the dominions of the other, shall be settled by their respective consuls, and by them only. The article specifies in its close, some particular parties whose disputes shall be thus adjusted: But yet the true construction appears to include within it all disputes which may take place between citizens of either party, within the jurisdiction of the other. If such then be the true construction of the article, and which I presume it is; it necessarily follows that the proceedings of this court are in contravention of that article, and in that view merit the attention of the executive government, whose opinion will doubtless be regarded by the court.

That the article was dictated by policy, and formed for the mutual accommodation of both parties, cannot be doubted. A principal object of it probably was, to prevent suits in both countries, between the same parties, for the same debt, and at the same time; whereby an innocent party might be doubly harassed, and to the general detriment of commerce. In this light, however, I do not think it necessary to discuss the subject. I think it my duty only to bring it before you, upon the principles of the treaty, and to ask that interference of the government in this case, which it may deem suitable.

*From the Minister Plenipotentiary of the United States, to the
Minister of Finance.*

Paris, February 4th, 1796.

I HAVE just received the inclosed letter, from the consular general of the United States with the republic; represent-

ing the embarrassed situation of many of our citizens, who have furnished supplies to the government; and which I have thought it my duty to submit to your consideration, not doubting, that you will do every thing in your power to relieve them from their embarrassments. You will readily perceive, from the delicacy of mercantile credit, the injury they are exposed to, perhaps the ruin, by the protest of their own bills; since they were drawn in payment of the debts they had contracted in rendering such supplies to this government; and which danger is the greater on account of the delay they had previously experienced in the adjustment of their claims. You will likewise fully appreciate the baneful effect, which the example of their misfortunes will produce upon the future commerce of the country, in the discouragement of others. In this view, therefore, their case merits no comment from me; and in submitting it to you, permit me add, that all that I wish is, that you take into consideration the circumstances of these merchants, and render them such immediate aid, in relief of their present embarrassments, by partial payments, where the cases will admit of it (and I presume there are few, if any, that will not admit of it) as the situation of the republic, providing for its general welfare, will authorize. In the scale of your affairs, you will observe (paying due regard to the pressure of other objects, and the policy of sustaining and advancing, by all practicable means, the growing credit of the government) what attention is due to the claims of those who have embarked their credit, and their fortunes, in its support; and I am well assured, you will pay them all the attention they merit.

[No. XXVIII.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, February 16th, 1796.

I THINK it my duty to state to you, and without delay, a communication made me yesterday by the minister of foreign affairs, of a very interesting nature. I called to repre-

sent to him, the distress of several of my countrymen, occasioned by the protest at Hamburgh of bills given them for supplies, rendered the government ; and to request his aid with the directoire to obtain them relief. This application was intended to harmonize with one, that was making informally by our consul general with the directoire, and which was arranged in a manner to present the demands of the claimants before that body, in a forcible manner ; and at the same time without wounding its feelings. But before I entered on this subject, my attention was called to another more important ; and upon which he seemed pleased with the opportunity of addressing me. He observed, that the directoire had at length made up its mind, how to act in regard to our treaty with England :—That it considered the alliance between us, as ceasing to exist, from the moment the treaty was ratified ; and had or should appoint an envoy extraordinary, to attend and represent the same to our government ; that the person in view was known and esteemed in our country, and who would be specially commissioned on this business, and whose commission would expire with it : That Mr. Adet had asked and obtained his recall ; but did not say whether any other minister would be appointed in his stead, for the present ; though, as connected with Adet's resignation, it is reported that Maret, lately returned from captivity in Austria, is to succeed him. The minister added some general observations on the treaty, tending to shew, that it was considered as throwing us into the scale of the coalesced powers ; observing that he should hand me an official note on this subject, being ordered so to do by the Directoire. As no specific objection was stated, I could make no specific reply. I expressed to him, however, my astonishment and concern at the measure spoken of, and inculcated in the short time I remained with him (for he was upon the point of going out) the propriety of candour in the discussion of the treaty, in its several parts, and the benefit of temper in all transactions with us, since we were certainly their best friends. To this he made no answer, and whereupon I left him. I have since heard nothing from him on the subject. I mean to see him however to day ; and, in case he permits me to act on the communication, as an official one, to demand an audience of the directoire, to endeavour to divert it, if possible, from the measure contemplated ; of which, and of the business generally, I will write you again in a day or two.

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, February 20th, 1796.

IMMEDIATELY after my last of the 16th of February was concluded, I demanded and had a conference with the minister of foreign affairs, upon the communication given in that letter.

I represented to him, that the information he had given me, of the intention of the directoire to appoint an envoy extraordinary, to repair to the United States, to declare to our government the dissatisfaction of this, in respect to our treaty with Great Britain, had penetrated me with the deepest concern; because I feared from a measure so marked, and conspicuous, the most serious ill-consequences, both to them and to us. I stated to him, that such a mission was calculated to make an impression in America, and throughout the world; not only that they were dissatisfied with us, but that even the issue of war and peace was suspended on the issue of the mission; that their and our enemies would rejoice at the event, whilst theirs and our friends would behold the spectacle with horror. That the mission itself would place both republics in a new dilemma, and from which they could not both well extricate themselves with honor; that something was due, in the opinion of the world, to the character of the mission; its success must be brilliant, or the public would be disappointed, and this might induce them to insist on terms they would not otherwise have thought of; and which would increase their mutual embarrassments; that as soon as the mission was known to foreign powers, they would commence their intrigues, to make it the means of separating us; that all were interested in our separation, none in our union; and that our separation was an evil to be deprecated by both parties; that the success and terror of their arms might diminish the number of their active enemies, but as we had never confided in the friendship of any power, but in that of France, so I was satisfied they had no real friend except America; that republics could never count upon the friendship of monarchies; if they did count upon it, they would be always deceived. Peace there might be; but peace and friendship did not always mean the same thing.

I observed, further, that France had gained credit by her late conduct towards us : For whilst England had seized our vessels, and harassed our trade, she had pursued an opposite, and more magnanimous policy ; and which had produced, and would continue to produce, a correspondent effect, by encreasing our resentment against England, and attachment to France. But as soon as the latter should assume an hostile or menacing deportment towards us, would this motive diminish, and the argument it furnished lose its force. That by this, however, I did not wish to be understood, as advising that well founded complaints, if such existed, or were thought to exist, should be withheld : On the contrary, I was of opinion, they should be brought forward ; as well to obtain redress where it was wished, and could be given, as to make known, in a frank and friendly manner, the sentiments which each entertained of the conduct of the other, in case that were interesting to it. That on my own part, I was always ready to enter into such explanations, when required, and would do it in the present instance with pleasure ; since by being possessed of our view of the subject, they would be better able to decide, whether the complaint was well or ill-founded, and of course, how far it merited to be considered in that light. In short, I used every argument that occurred to divert the government from the measure proposed, assuring him, in the most earnest manner, that I was satisfied, it would produce no good effect to France ; on the contrary, that it would produce much ill, both to her, and to us.

The minister replied, that France had much cause of complaint against us, independently of our treaty with England ; but that, by this treaty, ours with them was annihilated : That the directoire considered our conduct, in these respects, as absolutely unfriendly to them, and under which impression, that it was their duty, so to represent it to us : That the mode which was proposed of making such representation had been deemed mild and respectful, and as such ought not to give offence. He admitted, however, that the objections I had stated against it were strong and weighty with him, and that he would immediately make them known to the directoire, and by whom, he doubted not, all suitable attention would be paid to them. Since this I have not seen him, but propose seeing him again, either to-day or to-morrow, on this subject ; and after which I will immediately apprize you of the state in which it may be.

This affair has given me great concern, because it opens a new era upon us ; and whose consequences, unless the mea-

sure itself be prevented, may be of a very serious kind. I shall do every thing in my power to prevent it, and in any event communicate to you, and with the utmost despatch, every incident that turns up connected with it.

So far, my object has been to break the measure in question; and after which, if effected, I shall most probably be called on for explanations of the treaty complained of; and in which case I shall of course avail myself, in the best manner possible, of those communications, which have been heretofore received from your department.

[No. XXX.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, March 10th, 1796.

I INFORMED you in my two last, of the 16th, and 20th, ult. of a communication made me by the minister of foreign affairs, that the directoire had resolved to send an envoy extraordinary to the United States, to remonstrate against our late treaty with England, and of my efforts to prevent it; and I have now the pleasure to add, that I have reason to believe those efforts have been successful; the minister having assured me in a late conference, that the directory was disposed to accommodate in this respect, and to make its representations, on that subject, through the ordinary channel. He repeated, however, upon this occasion, in terms equally strong with those he had used before, the sense which he said the directory entertained of the injury done to France, by that treaty, and upon which explanations were expected, and would be fought.

I asked him, what were his objections to the treaty; and to which he replied, as before, in general, rather than in precise terms; urging that thereby we had violated our treaties with France, and greatly to her injury, in the present war. I replied, that it was not admitted by our government, that any, the slightest, deviation was made from our treaties with this republic; nor ought it to be presumed, until it was shewn, that such was the case, especially as I had before informed him, and now repeated my willingness to discuss that point, whenever he thought fit. He intimated, that I should certainly hear from him on the subject, and in time to receive a reply, and

attend to any observations I chose to make on it ; but being now before the directory, he could not well enter on it, in the manner I proposed, until he had the further orders of that body, in that respect. Thus therefore the matter now stands; and I have only to repeat to you, my assurance, that I shall continue to pay to it all the attention it deservedly merits.

The state of affairs here has not varied essentially of late, either in the internal, or in the external relations of the republic. The forced loan was less productive, than it was expected to be, and of course the relief it gives must be considered as partial, and temporary only. Nor is any system yet adopted to supply what will be necessary, after the amount thus raised is exhausted ; though as the subject is still under discussion, it is possible this may yet be done. On the other hand, the directory, by means of the organization and police seems to gain strength ; and to which a late measure has essentially contributed. At the Pantheon, and other quarters, there were nightly meetings of people, not inconsiderable in point of numbers ; and who complained of various grievances, as they said, from the actual government, and which ought therefore to be changed. The directory had its eye upon those assemblages, and, as I hear, gained full proof, that they were put in motion by foreign influence ; and, under the mask of patriotism, more effectually to promote the purpose of disorganization, and in consequence shut the doors of the houses where they resorted. As many of those who were at the head of those meetings were active and ferocious agents in the popular societies, during the reign of terror, and were probably then moved by the same cause,—this discovery, if to be relied on, tends to throw great light upon the source to which the atrocities that were then practised ought to be ascribed. Time, perhaps, and especially if the revolution weathers the storms it has yet to encounter, will doubtless more fully unfold the real authors of those scenes, which were so frightful to humanity, and disgraceful to man ; and that they may be discovered must be the wish of all those who are the friends of truth, wherever they reside.

Prussia has in the course of the winter increased her force, 40, or 50,000 men ; and, it is said, exhibits a menacing aspect towards Holland ; though her minister continues here, and is apparently well received. Spain too continues her military establishment, as before the peace, and whose minister, Del Campo, is daily expected from England, where he has long resided. The probable conjecture, with respect to Spain, is, that as she feared an attack from England, when she made her

peace with France, so she finds it necessary to guard herself against it, by suitable precautions, till the war ends. Russia, it is believed, contemplates a blow against the Turks; in the hope, now that Poland is annihilated; France otherwise sufficiently occupied, and the other powers in amity with the Empress, to wrest Constantinople from the Porte, which has long been the object of her inordinate ambition. On the other hand, France seems to be collecting her forces together, and to exert every nerve her system admits of, in preparations for the war; exhibiting to her enemies a countenance, firm and independent, and announcing to the beholding nations her resolution to conquer, or to perish.

[No. XXXI.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, March 25th, 1796.

FINDING from the communication of the minister of foreign affairs, that the character of the mission about to be despatched for the United States, and its objects, were still before the directoire, and fearing that the ulterior communication promised by the minister, would be made at such a time, as would render it impossible for me to produce any effect on the measure itself (if, indeed, in any case it were so) I deemed it my duty, and accordingly demanded an audience of the directoire on that subject; stating the information already received from the minister thereon as the basis or motive of that demand. An audience was granted, and in consequence I attended the directoire on the 8th instant, in full council, assisted by the minister of foreign affairs, and the minister of marine. As I had demanded the audience, it became necessary for me to open the subject; and which I did by stating what the minister had informed me of their dissatisfaction with our treaty with England, and some other of our measures that had occurred during the present war; and respecting which it was contemplated to make some representation to our government by their minister, who was about to depart for the United States. I told them, that unless I knew distinctly what their complaints were, it was impossible for me to refuse, or even answer them: That I did not come

there to ask from that body such exposition, for the purpose of discussing the subject with it, because I knew it was against rule: That I wished, however, the directoire would cause the minister of foreign affairs to lay open those complaints to me; receive my answer, and enter into a full discussion of them; and in the interim, that it would suspend any decision, in regard to the merit of those complaints, or of the mission spoken of, until the result of that discussion was before it: That the discussion itself could not otherwise than throw light on the subject, and in the degree promote the interest of both countries, so far as that might be affected by their decision in the case in question. The directoire replied, that nothing was more reasonable than my demand, and that it should be complied with. Some general observations were then made by that body, upon the subject of its complaints; and to which I made the answers that occurred at the time; dissipating its doubts in one or two cases at once, and particularly with respect to the countenance it heared was given in the United States to their emigrants; by stating, that we received all Frenchmen who visited us, as friends: That we did not, nor could we, discriminate between them generally, on account of their political principles; because we did not know what their principles were: That we saw in them all, the people of a nation to which we were much attached for services rendered us by it in the day of our difficulties, and treated them accordingly: And with respect to the President, that he had given orders, that certain distinguished emigrants, otherwise in some respect entitled to attention, but known to be obnoxious here, should on that account be excluded his public hall, which was open to all other persons. Several of the members of the directoire reciprocated with great earnestness, professions of friendship for us; assuring me at the same time, that no step should be taken in the business in question, but upon due deliberation, and after the discussion I had asked should be finished, and my arguments fully weighed; and thus I left them.

I shall transmit you, as soon as it is closed, the result of the communications which may pass between the minister and myself; and I doubt not the discussion will produce a favorable effect. I shall certainly avail myself of all the lights within my reach, to do justice to a cause of so much importance to my country.

Upon some misunderstanding with the directoire, Pichegru has sent in his resignation, and obtained his dismissal; an event that must be deemed unfortunate to the Republic,

as he is, doubtless, a man of great talents, and integrity. Clairfait has done the same thing with the Emperor; so that the account of folly between the two governments is fairly balanced.

The finances here continue in derangement; and which is not likely to be remedied by a late act, calling in the assignats, and issuing in their stead a species of paper, called mandats, founded on the national domains, with the right in the holder of that paper to take property for it, where he likes and where he pleases, at the ancient value. This project resembles a bank whose stock consists of, and whose credit of course depends on, land; and which, as it never succeeded well in the lands of individuals, will most probably never succeed well in the lands of the public.

I herewith transmit you extracts of two letters lately received from Mr. Barlow; and which I do with a view of giving you every information that comes to my knowledge upon the interesting topic on which they treat.

From the Minister Plenipotentiary of the United States of America, to the Minister of Foreign Affairs.

Paris, March 5th, 1796.

BEING informed by you, that the executive directory considers the late treaty between the United States of America and Great Britain, as derogating, in some respects, from the treaties of alliance and commerce subsisting between the two Republics; and that your minister, who is about to depart hence for the United States, will be instructed to represent the same to our government,—I have thought it my duty to ask an audience of the executive directory upon that subject, not doubting that the explanations I shall be able to give thereon, will make on that body an impression sufficiently satisfactory to merit all its attention. Permit me, therefore, to request, Citizen Minister, that you will be so obliging as to obtain for me an audience from the executive directory upon that subject; at such time as may be most convenient for that body to receive me.

From the Minister of Foreign Affairs, to the Minister Plenipotentiary of the United States of America.

Paris, 17th Ventose, 4th Year of the Republic.

(March 7th, 1796.)

I have the honor to inform you, Citizen, that the executive directory will receive you to-morrow, the 18th instant, at ten in the morning.

(Signed)

CH. DE LA CROIX.

From Mr. Pickering, to Mr. Monroe.

DEPARTMENT OF STATE.

November 23d, 1795.

SIR,

THE office of secretary of state is yet vacant. I write now merely to acknowledge the receipt of your several letters, numbered 16, 17, 18, 19, 20 and 21.

You will see, an answer to the last has been anticipated by a long letter from me, dated in September; on the subject of the treaty between the United States and Great Britain. By that letter you will understand, that the ideas you have detailed are quite foreign to the views of the government of the United States.

*Your suggestions in regard to Mr. Parish, our consul at Hamburgh, have led me to remind Mr. Adams of a request formerly made to him, to enquire into his conduct, and report the same to this department. Such I understand to be the fact; and that no report has yet been received.

I am, &c.

TIMOTHY PICKERING.

* The hint had been given respecting Mr. Parish, sometime before; not only that we might do a suitable act of our own accord, but with a view that nothing might occur from that source, likely to increase the irritation it was known the British treaty had produced.

[No. XXXII.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, May 2d, 1796.

I INFORMED you in my last of the 25th of March, that I was promised by the directoire. in an audience I had obtained of that body, that the minister of foreign affairs should state to me such objections, as were entertained by this government, to certain measures of our own; and, in the interim, that no step should be taken, under the existing impression, nor until my reply was received and fully weighed; and I have now the pleasure to transmit to you the result of the communication which afterwards took place between the minister and myself, on that subject.

I do not know what effect my reply has had upon the mind of the directoire; because it was only sent in a few days since. I shall endeavour to ascertain this, if possible, and in case I do, will immediately afterwards apprise you of it.

* * * * *

The campaign was lately opened on the side of Italy, by a suite of three brilliant victories obtained in the space of a few days, by the French under Buonaparte, over the Austrians, commanded by Beaulieu; and in which the latter lost, in slain, about five thousand men, and in prisoners, between eight and ten thousand. The road is now open to Turin, whither it is thought the French are pressing. On the Rhine, however, the armies are still inactive; and from which circumstance some persons conjecture, that a negociation is still depending with the Emperor, and will doubtless, if such is the case, be essentially aided, on the part of France, by these late victories. The Vendée war was lately greatly checked, to say no more, by the total dispersion of the troops gathered there, in opposition to the government, and the apprehension and execution of Charette and Stofflet; the two principal chiefs who heretofore headed it: And subsequent circumstances favor the idea, that rebellion there is laid more prostrate than it was at any preceding period, since it began. But such has been the varied fortune of that extraordinary war, and so often has it revived after it was supposed to be totally extinguished, that appearances, however strong, are not to be too much confided in; nor can it well be pronounced at an end, until the revolution itself is closed.

I send you herewith an extract of a letter from Mr. Barlow, from Algiers, just received; and which will, perhaps, give you the latest intelligence from that quarter.

P. S. Mr. John Gregorie, late of Petersburg, in Virginia (a naturalized citizen of the United States) originally established at Dunkirk, and now residing there,—has been recommended to me, by respectable authority, as a fit person to fill the consulate in that city; I add therefore his name to the list heretofore sent you, of competitors for that office.

From the Minister of Foreign Affairs, to the Minister Plenipotentiary of the United States of America.

Paris, 21st Ventose, 4th Year of the Republic,

(March 11th, 1796.)

I address to you, citizen, a copy of a summary exposition of the complaints of the French republic, against the United States of America. I often and very sincerely wish, that your government, better enlightened upon its true interests, will be disposed to give us complete satisfaction.

(Signed)

CH. DE LA CROIX.

A summary exposition of the complaints of the French government, against the government of the United States.

First COMPLAINT. The inexecution of treaties.

I. The courts of justice in the United States have taken, and continue daily to take, cognizance of prizes, which our privateers conduct into their ports, notwithstanding the express clause of the treaty, which prohibits it. Our ministers have proposed different arrangements to put bounds to this usurpation: The federal government had itself proposed measures in this respect: The first propositions were not accepted, and the last measures have fallen into disuse. The disgusts, the delays and the losses which result to our marine, from a like

state of things, are palpable. They almost deprive the republic of the advantage it ought to derive from this article of the treaty.

2. The admission of English vessels of war into the ports of the United States, against the express stipulation of the 17th article of the treaty; that is to say, when they have made prizes upon the republic, or its citizens. The weakness with which the federal government yielded this point in the beginning, tended to increase the pretensions of Great Britain; so that, at present, the ports of the United States have become a station for the Squadron of Admiral Murray; which, for two years past, has stationed there, to make excursions thence upon the American commerce, and destroy our property. This division carries its audacity even farther, by conducting its prizes into those ports.

3. The consular convention, which makes a part of our treaties, is equally unexecuted in two of its most important clauses: The first, which grants to our consuls the right of judging exclusively all controversies which take place between French citizens, has become illusory, from a defect in the law which gives to our consuls the means of executing their judgments. The consequences of this defect tend to annihilate the prerogatives of our consuls, and by means thereof, to injure essentially our merchants. The second gives to our consuls the right of arresting our marine deserters. The inexecution of this part of the convention affects beyond all expression our maritime service, whilst our vessels are stationed in the American ports. The judges charged, by the law, to deliver mandates of arrest, have lately required the presentation of the original register of the equipage, in despite of the 5th article of the treaty, which admits in the tribunals of the two powers copies certified by the consuls. Particular local considerations oppose, in a thousand circumstances, the presentation of the original register, and, under these circumstances, the sailors always make their escape.

4. The arrestation in the port of Philadelphia, in the month of August, 1795, of the Captain of the Corvette Cassius, for an act committed by him on the high seas. This measure is contrary to the 19th article of the treaty of commerce; which stipulates; "that the commandants of public and private vessels shall not be detained in any manner." It violates moreover the right of nations, the most common; which puts the officers of public vessels under the safeguard of their flag. The United States had sufficient proof of the respect, which the republic entertained for them, to have counted upon its

justice, upon this occasion. The Captain has been imprisoned, though the consul of the republic supported the action; and, with difficulty, has he been released. The Corvette, though regularly armed at the Cape by the General Lavaud has been arrested (as it appears she still is) under the pretext, that eight months before she sailed from Philadelphia, she was suspected of having been armed in that port.

Second COMPLAINT. The impunity of the outrage made to the republic, in the person of its minister, the citizen Fauchet, by the English vessel, the Africa, in concert with the vice-consul of that nation.

The arrestation, in the waters of the United States, of the packet boat in which the minister sailed: The search made in his trunks, with the avowed object of seizing his person and his papers, merited an example. This insult was committed on the first of August 1795, and after which this vessel (the Africa) blocked up the rest of that month, at Newport, the frigate Medusa of the republic; nor was that vessel ordered to depart 'till after this frigate had sailed, and which order was given for a new outrage committed against the United States, by a menacing letter; and, for a participation in which last insult, the exequatur of the English consul was withdrawn.

Third COMPLAINT. The treaty concluded in November, 1794. between the United States, and Great Britain. It would be easy to prove, that the United States, in that treaty, have sacrificed, *knowingly* and *evidently*, their connection with the republic; and the rights, the most essential and least contested, of neutrality.

1. The United States, have not only departed from the principles that were consecrated by the armed neutrality, during the war of their independence; but they have also given to England, to the injury of their first allies, a mark the most striking of a *condescension*, without limits, in abandoning the rule, which the rights of nations, their treaties with all other powers and even the treaties of England with most of the maritime powers, have given to contraband. To sacrifice, exclusively to this power, the objects which are necessary for the equipment and construction of vessels,—is not this to depart evidently from the principles of neutrality?

2. But they have even gone further. They have consented to extend the denomination of contraband, even to provi-

sions. Instead of restricting it, as all treaties have done, to the case of an effective blockade of a port, as forming the only exception to the complete freedom of this article, they have tacitly acknowledged the pretensions of England, to extend the blockade to our colonies, and even to France, by the force of a proclamation alone. This abandonment of the independence of their commerce is incompatible with their neutrality, as Mr. Jefferson has acknowledged, by his letter of the 7th September, to the minister plenipotentiary of the United States, at London, upon the subject of the order of the 8th June 1793. After this confession; after above all the tyrannical edicts of the king of Great Britain, whereby the commerce, as well as the national honor, of the United States have suffered so much, there was reason to hope a different result from the negotiation of Mr. Jay. It is evident, by the clause which limits the continuance of this desertion of neutrality to the term of this war, that Mr. Jay did not hesitate to sacrifice our colonies to Great Britain, during the continuance of these hostilities, by which their lot will be decided. It is submitted to Mr. Monroe to judge, in what point these concessions accord with the obligation, by which the United States have contracted to defend our colonial possessions, and with the duties, not less sacred, which the great and inestimable benefits they derive from their commerce with those Islands, bind them to observe.

(Signed)

CH. DE LA CROIX.

Paris, 19th Ventose, 4th Year of the Republic.

(March 9th, 1796.)

Note. This paper bears date of the day preceding that on which I had my audience of the directory, by which I conclude it is a copy of the report made by the minister, to that body, on that occasion.

From Mr. Monroe, to the Minister of Foreign Affairs.

Paris, March 15th 1796.*

I was lately honoured with your note of the 19th Ventose (March 9th) objecting to several of the measures of our

* Why these communications have these dates was explained to Mr. Pickering.

government, that have occurred in the course of the present war, and to which, I presume I shall herein render you a satisfactory answer. For this purpose I shall pursue in reply the order you have observed, in stating those objections; and, according to the light I have on the subject, give to each the answer it requires.

These objections are comprized under three distinct heads, a summary of which I will first expose, that my reply to each may be better understood.

First. Your first complaint is, that we have failed to execute our treaties with you, and in the following respects.

1. By submitting to our tribunals the cognizance of prizes brought into our ports by your privateers. 2. By admitting English vessels of war into our ports, against the stipulation of the 17th article of our treaty of commerce, even after such vessels had taken prizes from you, and in some cases with their prizes. 3. By omitting to execute the consular convention in two of its most important clauses; having failed to provide, as you suggest, suitable means for carrying those clauses into effect; the first of which secures to you consuls within the United States, the exclusive jurisdiction of all controversies between French citizens; and the second, the right to pursue, and recover, all mariners who desert from your vessels. 4. By suffering in the port of Philadelphia, the arrestation of the captain of the Corvette *Cassius*, for an act committed by him on the high sea, and which you say is contrary to the 19th article of the treaty of commerce, which stipulates, that 'the commandants of public and private vessels shall not be detained in any manner;' and the rights of nations, which put such officers under the protection of their respective flags: And by likewise suffering the arrestation of that Corvette, though armed at Cape François, upon the pretext, that she was armed in the United States.

Second. Your second complaint states, that an outrage, which was made to this republic, in the person of its minister, the citizen Fauchet, by an English vessel (the *Africa*) in concert with an English consul,—in arresting, within the jurisdiction of the United States, the packet-boat in which he had embarked, searching his trunks, and afterwards remaining within the waters of those States for near a month, to watch the movement of the frigate in which he finally sailed, was left unpunished; since you urge, that the measures which were

taken by our government, in regard to that vessel, and the consul, were not taken in a suitable time to remedy the evil, and were produced by a subsequent outrage, and of a very different kind.

Third. Your third and last complaint applies to our late treaty with England; which you say, not only sacrifices, in favor of that power, our treaty with France, but departs from that line of impartiality, which, as a neutral nation, we were bound to observe. Particular exemplifications are given of this charge in your note, and which I shall particularly notice when I come to reply to it.

This is a summary of your complaints, and to each of which I will now give a precise, and I flatter myself, a satisfactory answer.

First. Of the inexecution of our treaties with this Republic, and of the first example given of it: 'The submission to our tribunals of the cognizance of prizes brought into our ports by your privateers.'

Permit me, in reply to this charge, to ask whether you insist, as a general principle, that our tribunals are inhibited the right of taking cognizance of the validity of your prizes, in all cases; or are there exceptions to it? As a general principle, without exception, I think it cannot be insisted on; because examples may be given, under it, of possible cases, which prove it cannot be so construed and executed, without an incroachment upon the inherent and unalienable rights of sovereignty in both nations, which neither intended to make, nor does the treaty warrant. Suppose, for instance, a prize was taken within the our jurisdiction; not upon the high seas, nor even at the entrance or mouths of those great rivers and bays, which penetrate and fertilize our country; but actually in the interior, and at the wharf of some one of our cities. Is this a case over which our tribunals, or some other branch of our government, have no right to take cognizance? Do you conceive, that the true import of the treaty imposes upon us, and likewise upon you in turn, the obligation thus to abandon, as a theatre of warfare, in which you bear no part, the interior police of your country? Can it be done consistently with the dignity or the rights of sovereignty? Or, suppose the privateer which took the prize and led it into port was fitted out within the United States, the act being unauthorized by treaty;—could we tolerate this, and refuse the like liberty to the other nation at war, without departing from that line of neutrality we ought to observe? You well know that those

rights which are secured by treaties, form the only preference in a neutral port, which a neutral nation can give to either of the parties at war; and if these are transcended, that the nation so acting makes itself a party to the war; and in consequence merits to be considered and treated as such. These examples prove that there are some exceptions to the general principle; and perhaps there are others which do not occur to me at present. Are then the cases in question, and which form the basis of your complaint, within the scale of these exceptions? If they are, and I presume they are, I am persuaded you will concur with me in the opinion, that the complaint is unfounded; and that we have only done our duty; a duty we were bound to perform, as well from a respect to our rights as a sovereign and free people, as to the integrity of our character; being a neutral party in the present war.

You will observe, that I admit the principle, if a prize was taken upon the high sea by a privateer fitted out within the Republic, or its dominions;—that in such case our courts have no right to take cognizance of its validity. But is any case of this kind alledged? I presume none is or can be shewn.

2. The second article in this charge, of failing to execute our treaties with this Republic, states, that in contravention with the 17th article of the treaty of commerce, we have admitted British vessels into our ports; even such as have taken prizes from you, and in some cases with their prizes. The article referred to stipulates the right for your vessels of war and privateers to enter our ports with their prizes; and inhibits that right to your enemies. It does not stipulate that the vessels of war belonging to your enemies shall not enter; but simply that they shall not enter *with their prizes*. This latter act, therefore, is, I presume, the subject of your complaint. Here too, it only stipulates, that in case such vessels enter your or our ports, proper measures shall be taken to compel them to retire as soon as possible. Whether you were rightly informed with respect to the fact, is a point upon which I cannot decide, as I know nothing about it. Our coast is extensive; our harbours numerous, and the distress of the weather may have forced them in: Or they may have entered wantonly and in contempt of the authority of the government. Many outrages have been committed upon us by that nation in the course of the present war, and this may likewise be of the catalogue. But I will venture to affirm, that no countenance was given by our government to those vessels, whilst they were there; and that all suitable means were taken to compel them to retire, and without delay. You know we have no

fleet, and how difficult it is, without one, to execute a stipulation of this kind, with that promptitude which your agents in our country, ardent in your cause, and faithful to your interest, might expect.

3. The third article under this head, states, that we have omitted to execute the consular convention in two of its most important clauses; the first of which secures to the consuls of each, in the ports of the other, the exclusive jurisdiction of controversies between their own citizens, and the second of which gives to the consuls a right to recover such mariners as desert from the vessels of their respective nations.

Upon the first point, the supposed incompetency of the law provided on our part, to execute the judgments of your consuls within our jurisdiction,—I can only say, that as no particular defect is stated, so no precise answer can be given to the objection. And upon the second, which states; that the judges charged by our laws to issue warrants for arresting such of your mariners, as desert from their vessels, have latterly required, and against the spirit of the treaty, the presentation of the original registers of the vessels to which they belonged, as the ground whereon to issue those warrants, I have to observe; that by the clause in question (the 9th article) the original seems to be required; and that the copies spoken of in another part of the treaty (the 5th article) obviously apply to other objects, and not to this. More fully, however, to explain to you the conduct of our government upon this subject, permit me here to add an extract from our law, passed on the 9th of April, 1792, expressly to carry into effect the convention in question, and which applies to both cases.

‘ The district judges of the United States shall, within their
 ‘ respective districts, be the competent judges for the pur-
 ‘ poses expressed in the 9th article of the said convention;
 ‘ and it shall be incumbent on them to give aid to the consuls
 ‘ and vice-consuls of France, in arresting and securing deser-
 ‘ ters from the vessels of the French nation, according to the
 ‘ tenor of the said article. And where, by any article of
 ‘ the said convention, the consuls and vice-consuls of France
 ‘ are entitled to the aid of the competent executive officers
 ‘ of the country, in the execution of any precept, the mar-
 ‘ shals of the United States, and their deputies, shall within
 ‘ their respective districts be the competent officers, and shall
 ‘ give their aid, according to the tenor of the stipulations.’
 By this extract you will clearly perceive, that it was not the
 intention of our government to frustrate or embarrass the exe-

cution of this treaty : On the contrary, that it was its intention to carry it into full effect, according to its true intent and meaning ; and that it has done so, so far as could be done by suitable legal provisions.

It may hereafter be deemed a subject worthy consideration, whether the first of these clauses in that convention had not better be expunged from it. The principle of a foreign court established within any country, with jurisdiction independent of that country, cannot well be reconciled with any correct idea of its sovereignty : Nor can it exercise its functions without frequent interference with the authorities of the country ; and which naturally occasions strife and discontent between the two governments. These, however, are not the only objections to the measure, though with me they are unanswerable. Under circumstances the most favorable, it were difficult for these consular tribunals to serve their process and execute their judgments. A limited jurisdiction to a town or village only admits of it. In the United States, therefore, and in France, where the territory is immense, and the number of citizens of each country in the other considerable, as is now the case, it becomes impossible. Many of these, in each country, dwell perhaps in the interior, and not within one hundred leagues of any consul of their nation ; how compel their attendance before him ? How execute the judgment afterwards ? For the tribunal of one country to call in the aid of the officers of another, to execute its decrees or judgments, is an institution at least objectionable ; but to send those officers round the country, through the range of one hundred leagues is more so.

Permit me then to ask, what are the motives on your or our part for such an institution ? In what respect are you or we interested, that your or our consuls should have the exclusive jurisdiction of controversies between your and our citizens, in each other's country ? Why not submit those controversies, in common with all others, to the tribunals of each nation ? Some considerations in favor of the institution, it is true, occur ; but yet they are light and trifling, when compared with the numerous and strong objections that oppose it. So much, however, by way of digression.

4. Your fourth and last example, under this head, states, that the captain of the Corvette *Cassius* was arrested in Philadelphia, for an act committed on the high sea ; contrary, as you suggest, to the 19th article of the treaty of commerce, which stipulates, ' That the commandants of vessels, public and private, shall not be detained in any manner whatever ;'

and of well known rights of nations, which put the officers of public vessels under the safeguard of their respective flags; and that the said Corvette was likewise seized, though armed at the Cape, upon the pretext that she was armed some time before in Philadelphia.

As you have not stated what the act was with the commission whereof the Captain was charged, I can of course give no explanation on that head. Satisfied, however, I am, that if the crime was of a nature to authorise our courts to take cognizance of it, he would not be exempted from their jurisdiction by the article of the treaty in question; since that article, as you perceive, was intended to establish a general principle in the intercourse between the two countries; to give a privilege to the ships of war of each, to enter and retire from the ports of the other; and not to secure in favor of any particular delinquent, an immunity for crimes: Nor, in my opinion, does the law of nations admit of a different construction, or give any other protection. I am happy, however, to hear that he is released, since it furnishes an additional proof that the whole transaction was a judicial one; regular, according to the course of our law, and mingling nothing in it in any view that ought to give offence here.

With respect to the seizure of the Corvette, upon the pretext that she was armed in Philadelphia, I have only to say; that if she was armed there, it was the duty of our government to seize her; the right to arm not being stipulated by treaty: And if that was alledged upon sufficient testimony, as I presume was the case, there was no other way of determining the question than by an examination into it, and in the interim, preventing her sailing. It would be no satisfaction to the other party to the war, for us to examine into the case after she was gone, provided the decision was against her. On the contrary, such conduct would not only expose us to the charge of committing a breach of neutrality, but of likewise doing it collusively.

Second. Your second complaint states an outrage which was committed by a British ship, upon your minister, the Citizen Fauchet, in concert with a British consul; in boarding the packet in which he embarked, opening his trunks, &c. within the waters of the United States, and remaining there afterwards to watch the movements of the frigate in which he sailed; and which you say was not resented as it ought to have been by our government; since you add, the measures which were taken by it in regard to that ves-

fel, and the consul, were the effect of another and subsequent outrage.

The punishment which was inflicted by our government upon the parties who committed that outrage, by revoking the exequatur of the consul, and ordering that all supplies should be withheld from the vessel; as likewise that she should forthwith depart from the waters of the United States, was, I think you will admit, an adequate one for the offence. Certain it is, that as we have no fleet, it was the only one in our power to inflict; and that this punishment was inflicted in consequence of that outrage, you will, I presume, likewise admit, after you have perused the act of the President upon that subject; a copy of which I herewith transmit to you; and by which you will perceive, that there was no distinct outrage offered to the United States, upon that occasion, by the parties in question; but that both the one and the other act (the attempt made upon the packet boat in which your minister had embarked, by the captain of a British ship of war, and which constituted the first; and the writing of an insolent letter, by the same captain, to the governor of the State of Rhode-Island, in concert with the British consul there, and which constituted the second) were only several incidents to the same transaction, forming together a single offence; and for which that punishment was inflicted on those parties.

I think proper here to add, as a further proof that the President was neither inattentive to what was due to your rights upon that occasion, nor to the character of the United States; that he gave orders to our minister at London, to complain formally to that government of that outrage; and to demand of it such satisfaction upon the parties, as the nature of the insult required; and which has, doubtless, either been given, or is still expected.

Third. Your third, and last complaint applies to our late treaty with England; and which, you say, has sacrificed, in favor of that power, our connection with France, and the rights of neutrality the most common.

1. In support of this charge you observe, that we have not only departed from the principles of the armed neutrality adopted in the course of the last war; but have abandoned, in favor of England, the limits which the rights of nations and our own treaties with all other powers, and even England in her treaties with many other powers, have given to contraband.

2. That we have also consented that provisions should be deemed contraband, not when destined to a blockaded port only, as should be the case; but in all cases, by tacitly acknowledging the pretensions of England, to place at pleasure and by proclamation, not only your islands, but even France herself in that dilemma.

The principles of the armed neutrality set on foot by the Empress of Russia; in harmony with the other neutral powers, at the time you mention, and acceded to by all the powers then at war against England, are extremely dear to us; because they are just in themselves, and in many respects very important to our welfare: We insert them in every treaty we make with those powers who are willing to adopt them; and our hope is, that they will soon become universal. But even in the war of which you speak, and when the combination against England was most formidable, and the maritime powers being arranged against her, you well know that she never acceded to them. How compel her then, upon the present occasion, when that combination was not only broken, but many of the powers, then parties to it and against England, were now enlisted on her side, in support of her principles? You must be sensible, that under these circumstances, it was impossible for us to obtain from that power the recognition of those principles; and that, of course, we are not culpable for having failed to accomplish that object.

I regret also, that we did not succeed in obtaining from that power, a more liberal scale of contraband, than was obtained: For as our articles of exportation are chiefly articles of the first necessity, and always in great demand here, and every where else, it was equally an object of importance to enlarge the freedom of commerce in that respect, by diminishing the list of contraband. Perhaps no nation on the globe is more interested in this object, than we are. But here too, the same difficulty occurred, that had in the preceding case; and it was in consequence deemed expedient, for the time, to relinquish a point we could not obtain; suffering the ancient law of nations to remain unchanged in any respect. Is it urged, that we have made any article contraband that was not so before, by the known and well established law of nations; which England had not a right to seize by that law, and did not daily seize, when they fell in her way? This cannot be urged; because the fact is otherwise: For although we have not ameliorated the law of nations in that respect, yet certainly we have not changed it for the worse; and which alone could give you just cause of complaint.

With respect to the objection stated to a clause in the 18th article of the treaty with England, which presumes we are thereby prohibited bringing provisions from the United States to France, I have only to add ; that no such prohibition is to be found in it, or other stipulation which changes the law of nations in that respect : On the contrary, that article leaves the law of nations where it was before ; authorizing the seizure in those cases only, where such provisions are contraband, ' by the existing law of nations,' and according to our construction, when carrying to a blockaded port ; and in which case payment is stipulated ; but in no respect is the law of nations changed, or any right given to the British to seize other than they had before ; and such, I presume, you will agree, is the true import of that article.

You will observe, by the article in question, that when our provisions destined for a blockaded port are seized, though by the law of nations subject to confiscation, they are nevertheless exempted from it ; and the owners of such provisions entitled to the payment of their value. Surely this stipulation cannot tend to discourage my countrymen from adventuring with provisions into the ports of this Republic ; nor in any other respect prevent their enterprizes here : On the contrary, was it not probable, that it would produce the opposite effect ; since thereby the only penalty which could deter them, that of confiscation, in the case above mentioned, was completely done away ?

Thus, Citizen Minister, I have answered, according to the views of our government, and the light I have upon the subject, the objections you have stated against several of its measures adopted in the course of the present war ; and I hope to your satisfaction. That any occurrence should take place in the annals of the Republics, which gave cause for suspicion, that you doubted, in any degree, our sincere and affectionate attachment to your welfare, is a circumstance that cannot otherwise than give pain to our government and our people. That these, however, should be removed by a fair and candid examination of your complaints, on both sides, is the best consolation that such an occurrence can admit of. If by my feeble efforts, I contribute in any degree to promote that end, and preserve the harmony and affection which have so long subsisted between us, and I trust, will always subsist, be assured that I accomplish an object the most grateful to my feelings, that I can possibly accomplish.

From Mr. Pickering, to Mr. Monroe.

DEPARTMENT OF STATE, Jan. 7th, 1796.

SIR,

ON the first instant, according to a previous arrangement, the minister of the French republic presented to the president of the United States, the colours of France. This was on Friday, and congress did not meet again till the following Monday, when the colours were presented to the two houses of congress, with a message from the president, and the papers mentioned in it; to wit, an address from the committee of public safety, dated the 21st of October, 1794; the speech of the French minister on presenting the colours to the president, and the president's answer; of all which copies are inclosed.

After the exhibition in the house of representatives, the house passed unanimously the inclosed resolve; in pursuance of which, to make known their sentiments to the representatives of the French people, the president has addressed a letter to the directory of the French republic, which you will find inclosed, and which you will take the earliest opportunity to deliver.

With the resolve of the house of representatives, the president has thought fit to communicate to the directory the resolve of the senate on the same subject, although not specially desired to do it. Thus there will be seen a concurrence of all the branches of the government, representing the people of the United States, in the same affection and friendship for the French republic. Copies of that letter, and of these resolves, for your own information, you will find also inclosed.

In your letter of the 20th of October (the last which has been received) you say that as yet no complaints had been made against our treaty with Great Britain, nor had you heard any thing from the committee on the subject, since their application relative to certain reports respecting it: Yet in your postscript you express your opinion, that if ratified it would excite great discontents.

On this point I can only again refer you to my letter of the 25th of September, in which it is demonstrated, that in assenting to the terms of that treaty, the United States infringe no stipulation, and violate no duty towards France. And you have seen by Mr. Randolph's communications last sum-

mer, that all the objections, started by the French minister, were completely removed.

The treaty of peace, made by General Wayne with the Indian tribes northwest of the river Ohio, has been ratified by the president, with the unanimous advice and consent of the senate. The Cherokees and Creeks are also at peace with us. Such perfect tranquillity on all our borders was never known since we became an independent people. But in the midst of the universal joy which this state of things excited, a few ruffians in Georgia committed some atrocious murders on about twenty Creeks. This was in September. Severe retaliation is to be feared ; though endeavours were immediately used to ward off the evil. As yet, I have heard of but one family that has been struck.

I have the honor to be, &c.

TIMOTHY PICKERING.

From the President of the United States, to the President of the Directory of the French Republic.

SIR,

THE minister of the French republic in the United States will certainly communicate to his government an account of the presentation of the standard of France, to the United States, through their organ, the president ; and of the time and manner in which it was received. On the 4th of the present month, the first day afterwards, on which they were convened, that standard was exhibited to the representatives of the people in congress, together with the address of the committee of public safety, dated the 21st of October, 1794 ; the speech of the French minister, on presenting the standard to the president, and his answer. It was on this occasion, at their sitting on the fourth of this month, that the house of representatives expressed their sentiments towards the French people, which they requested me to communicate, and which I cannot better do, than in their own words :

‘ Resolved unanimously, That the president of the United States be requested to make known to the representatives of the French people, that this house hath received, with the most sincere and lively sensibility, the communication of the committee of public safety, dated the twenty first of Octo-

ber, one thousand seven hundred and ninety four, accompanied with the colors of the French republic; and to assure them, that the presentation of the colors of the French republic to the congress of the United States is deemed the most honourable testimonial of the existing sympathies, and affections of the two republics, founded upon their solid and reciprocal interests; and that this house rejoices in the opportunity thereby afforded to congratulate the French nation upon the brilliant and glorious achievements, which have been accomplished under their influence, during the present afflicting war; and confidently hopes, that those achievements will be attended with the perfect attainment of their object,—the permanent establishment of the liberties, and happiness of a great and magnanimous people.’

I also do myself the pleasure to transmit to you the resolve of the senate, on the same occasion, declaring their union with me in the sentiments I have expressed towards the French republic, and their devout wishes, that the sincere affection which unites our two republics may be perpetuated.

These sentiments, sir, you will have the goodness to make known to the representatives of the French people, in the time and manner which you shall deem the most acceptable.

GEORGE WASHINGTON,

President of the United States.

Philadelphia, Jan. 7th, 1796.

CONGRESS OF THE UNITED STATES.

In the House of Representatives, Monday, Jan. 4th, 1796.

Resolved unanimously:

THAT the president of the United States be requested to make known to the representatives of the French people, that the house hath received, with the most sincere and lively sensibility, the communication of the committee of public safety, dated the twenty first of October, one thousand seven hundred and ninety four, accompanied with the colors of the French republic; and to assure them, that the presentation of the colors of the French republic to the congress of the United States is deemed the most honorable testimonial of the existing sympathies and affections of the two republics, founded upon

their solid and reciprocal interests : and that this house rejoices in the opportunity thereby afforded to congratulate the French nation upon the brilliant and glorious achievements, which have been accomplished under their influence during the present afflicting war ; and confidently hopes, that those achievements will be attended with the perfect attainment of their object ; the permanent establishment of the liberties and happiness of a great and magnanimous people.

JONATHAN DAYTON, Speaker.

IN SENATE OF THE UNITED STATES.

January 6th, 1796.

Resolved,

THAT the president be informed, the senate have received with the purest pleasure, the evidences of the continued friendship of the French republic, which accompanied his message of the 4th instant.

That the senate unite with him in all the feelings expressed to the minister of France, on the presentation of the colors of his nation, and devoutly wish that this symbol of the triumphs and enfranchisement of that great people, given as a pledge of faithful friendship, and placed among the evidences and memorials of the freedom and independence of the United States, may contribute to cherish and perpetuate the sincere affection, by which the two republics are so happily united.

Attest,

SAMUEL A. OTIS, Secretary.

From Mr. Monroe, to Fulwar Skipwith, Consul General of the United States, at Paris.

Paris, April 8th, 1796.

I HAVE just received a letter from Colonel Humphreys, our minister at Lisbon, advising that, as our treaty with Algiers is not yet concluded, it will be improper for our mer-

chants and others, to adventure into the Mediterranean, until further advised on the subject. I therefore notify this to you, that you may communicate the same to all our consuls within the French Republic.

From the Minister Plenipotentiary of the United States of America, to the Minister of Foreign Relations.

Paris, March 24th, 1796.

I HAVE been favored with yours of the 28th Ventose (18th March) respecting two Negroes, American citizens, who had left their ship at Havre, become objects of charity, and in consequence, a charge upon some of the inhabitants there; and requesting information, whether those charges would be reimbursed by the United States;—to enable you to give instruction on that point, and upon the principles generally, to the municipality of that city. In reply, I have the pleasure to inform you; that our sailors, whilst they remain attached to their vessels, at home or abroad, are under the particular care of the masters of such vessels; and whose duty is, in case of sickness, to provide them with such necessaries as their situation may require. But when they desert their vessels, such claim ceases; nor have the parties who assist them afterwards any claim for reimbursement on that account, other than on the sailors themselves. If these two persons in question are not deserters, the parties who assisted them will probably obtain reimbursement, upon application to the consignees of that vessel, in that port: And in any event I shall instruct our consul there to attend to the case; and to discharge, on my behalf, any well-founded claims, rendered from motives of humanity, to two of our citizens left there in distress.

[No. XXXIII.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, May 25th, 1796.

SINCE my last of the 2d instant, I have heard nothing from this government upon the subject communicated to you in that and several of my preceding letters; and which had

been discussed by the minister of foreign affairs and myself, as was shewn by the papers transmitted in my last. Nor have I understood, through any other channel, that any decision is taken on that subject. I flatter myself, therefore, that I shall hear nothing further on it. As yet, however, no successor is appointed to Mr. Adet, according to his own request; and who remains, of course, the *locum tenens* until one is appointed. I mention this circumstance, because as such an appointment was contemplated, when that discussion commenced, and was probably delayed by it,—so nothing can be satisfactorily inferred, at least for the present, of the final decision of the directory, upon the topic in discussion, until that of the appointment is likewise resumed and settled.

I was lately favored with yours of the 7th of January, communicating the correspondence which took place between the President and the Minister of France, when the latter presented the flag which was voted by the convention; as likewise the resolutions of both houses of congress on the same subject, with the letter of the President to the directory, in consequence thereof, which letter you desired me to deliver without delay. Accordingly, the day after I received it I waited on the minister of foreign affairs, and presented the letter to him, with a request that he would deliver it to the directory as soon as possible; and to which communication I have since received the reply, of which I herewith send you a copy.

There was lately announced by the directory to the council of five hundred, the discovery of a conspiracy against the government; whose avowed object was to overthrow the present constitution, and establish that of 1793 in its stead. The details furnished exhibit a project, which sought to marshal one description of patriots against another; the leaders of the innovating party differing from the established order, by the greater fervor of their zeal; and offering as an allurement to the poor, and in support of their interests, the free pillage of the wealthy. Fortunately, however, the project was discovered in good time, by the directory, and crushed in embryo. What its real object was; who were its real authors, and how many were comprized in it, time will doubtless disclose. Perhaps the trial of Drouet, a member of the five hundred, lately a prisoner in Austria, and who is accused of being a principal in it, will throw light on the subject in both views.

The discovery of this plot excited anew the jealousy of this government against foreigners, some of whom were sus-

pected of having an agency in it; and which subjected our countrymen, in common with those of other powers, to some trouble. The foreign ministers were, in consequence, called on for a list of their countrymen here, with the business of each respectively; which I have given, and by which, I presume, permission to remain will be obtained for all those who are American citizens.

The success of the French troops in Italy, whereby the Austrian and Sardinian armies were completely routed, in several severe conflicts, and with great loss to the Austrians, has already obtained for the Republic a very advantageous peace with Sardinia; by which the king has not only abandoned the coalition, but ceded forever to France Savoy and Nice; and even put himself in effect, for the residue of the war, under the protection of the French Republic. The papers forwarded will give you the details of this event, as likewise of the provisional treaty which ensued with Parma. It is generally admitted, that the road to Rome is opened; and said, that the Pope is so sensible of this, that he has offered to the directory, among other inducements, to use his apostolic authority to appease the discontents in the Vendée, and reconcile the disaffected there to the Republic, in case they will spare him, for the present, the honor of a visit. A minister or ministers are reported to be on their way from Naples; so that 'tis probable some adjustment will likewise soon be made with that power. Beaulieu, with the residue of the Austrian army, has retreated beyond Milan, to the heights between the lake De Garda and Mantua, a strong position, and noted as being formerly occupied by Prince Eugene; whither too he was pursued by Buonaparte, who now keeps him in check, or rather invests him there. Efforts are making by both governments, to send to both their armies reinforcements; so that, perhaps, until they arrive, the final fate of those armies will not be settled.

I inclose you some letters just received from Mr. Barlow, at Algiers, and am, &c.

From the Minister of Foreign Affairs, to the Minister Plenipotentiary of the United States of America.

Paris, 8th Floreal, 4th Year of the Republic.

(April 25th, 1796.)

I HASTEN to inform you, Citizen, that I have submitted to the executive directory the dispatch which was ad-

dress'd to it by the President of the United States, in the name of the congress.

The French government cannot receive, but with satisfaction, every thing which tends to confirm the bonds of friendship which unite the two nations.

Signed)

CH. DE LA CROIX.

From the Minister Plenipotentiary of the United States of America, to the Minister of Foreign Affairs.

Paris, April 24th, 1796.

I SEND you herewith a list of my countrymen in Paris, with the motives of each for coming and remaining here; according to the request you were pleas'd to make to me in yours of

I comply with your request with pleasure; because, being a general measure, it makes known to you the true characters and objects of individuals here; and, enabling you to discriminate between those who have just and lawful motives and those who have not, it gives you more complete controul over your police, which I wish to see made perfect and because by presenting before you, in a distinct view, the small number of my countrymen here, with the avocations of every one, it enables you to form a more correct idea on that subject, than, I am persuas'd, was heretofore formed upon it.

The list which I now inclose you, comprehends all the American citizens now in Paris, amounting to ; and to which I have to add, that, at no time, since my arrival in France, did it exceed one hundred and fifty; an amount far short of what the public opinion carried it to.

You will observe, that in most of the cases rendered, the parties are stated to have business with the government; of the truth whereof, in many instances, I have personal knowledge. In all, however, the statement may be verified by you: For, if it be correct, the proof thereof will, doubtless, be found in the department of your government with which the transaction is.

Permit me to repeat my assurance, that the more strict you are in scrutinizing into the motives and characters of men here, the more agreeable to me; because I well know you will never fail to give protection to such of my countrymen

as merit it; and because I do not wish it given to such as do not, in case there were ever any of that description here. And as to those who pretend to be Americans, and are not, although it belongs not to me to provoke upon them the punishment they merit; yet be assured it will give me the highest satisfaction to see that they are detected, and chased from the Republic.

From the Minister Plenipotentiary of the United States of America, to the Minister of Exterior Relations.

Paris, May 12th, 1796.

I OBSERVE by a decree of the 21st of Floreal, that all those strangers, who are not particularly exempted from its operation by the executive directory, must depart to the distance of ten leagues from Paris, within the term therein specified. Permit me, then, to call your attention to this decree, for the purpose of asking you by what mode I shall avail myself, for the benefit of my countrymen, of the benefit of that clause, which authorises the directoire to make the suitable discrimination.

Most of my countrymen who are in Paris, to the amount perhaps of one hundred and fifty, are men of business. Some of them captains of vessels, who have brought cargoes into the country; and all of whom have accounts to settle. They state to me, as dispatch in their affairs is of importance to them, and equally so to you, that the delay which their absence from the city must occasion will be essentially hurtful to them and to you; and that it is, therefore, their hope, a favourable construction will be given to that decree in their behalf; and the more especially, because they cannot be suspected of favoring the conspiracy it was designed to crush.

Whatever mode the directoire may think proper to adopt, in designating those who are to remain, I will observe, so far as depends on me. The object of the decree is, I presume, to banish intriguants; who are, perhaps, the subjects of your enemies, and of course does not apply to those who are really my countrymen. If this is the object, it will be easy to discriminate between them and others, in a manner to accomplish the end. But if it is intended to discriminate between them, sending some away and leaving others, you will per-

ceive how difficult it will be for me to execute it, were I sufficiently informed; since it would subject me to the necessity of declaring to some that they had not mine, and were not worthy your, confidence; and which, in truth, I could not do; because I know of none to whom I could make such a declaration.

Permit me to suggest, for your consideration, whether the calling in all passports now out, and granting others in their stead, and whereby a discrimination might be made between those who are and are not entitled, leaving the latter to the animadversion of your police,—would not answer the end. In this case, a prohibition that any passports of an older date than the decree should give protection would be sufficient; and in addition to which, such persons as were distrusted by you, if any such there were, might be sent out. I suggest this for your consideration, in the hope it will be found adequate; and from a knowledge it would essentially accommodate the interest of my countrymen.

*From the Minister Plenipotentiary of the United States, to the
Minister of Foreign Affairs.*

Paris, May 14th, 1796.

Not having an answer to the letter I wrote you on the 12th instant, on the subject of the decree which passed on the 21st Floreal (10th May) enjoining foreigners, not exempted by the directory, to depart without the commune of Paris; and fearing some inconvenience to some of my countrymen from the delay, I have thought proper to assemble, and take a list of all those whom I know to be Americans, for the purpose of furnishing you with it. Accordingly I now inclose you a list of those who have presented themselves, with an assurance that those whose names are inserted are American citizens. There may be others not included, and whom the short term allowed for attendance has deprived of the opportunity of enrolling themselves; and whose names shall be supplied when I become possessed of them.

Most of these persons I personally know, and confide in: Some I do not know; but I am well persuaded, they are all incapable of committing any act unfriendly to you; and of course, that they merit an exemption from the decree, which banishes from this commune suspected persons.

I need not observe to you, that I am at all times ready to co-operate with you in all measures necessary to detect those, who by artifices endeavor to usurp the character and privileges of American citizens; since no object is more ardently wished by me, than to prevent an abuse dishonorable to us, and equally hurtful to both countries.

From the Minister of Exterior Relations, to the Minister Plenipotentiary of the United States of America.

Paris, 8th Floreal, 4th Year of the Republic.

(April 27th, 1796.)

CITIZEN,

THE Citizen Caillard, minister plenipotentiary of the French Republic, near the king of Prussia, has transmitted to me a petition in the German language, which a woman settled at Frankfort on the Mein, calling herself a widow of a Prussian major, and her maiden name Franklin, had sent to him. Citizen Caillard informs me, that this woman is distinguished by her genius and literary talents, and enjoys a degree of celebrity in Germany.

Her petition is addressed to the legislative body, and its object is to obtain assistance. I thought it suitable to send it to you, rather than to the legislative body. It seemed to me, that the United States would have reason to complain, if France should in a manner deprive them of the satisfaction of relieving the relation of one of their deliverers, in her misfortunes.

You will find herein enclosed the petition, with the translation which I caused to be made.

Accept the assurance of my perfect consideration.

(Signed)

CH. DE LA CROIX.

From the Minister Plenipotentiary of the United States of America, to the Minister of Foreign Affairs.

Paris, May 6th, 1796.

I HAVE been favoured with yours of the 27th April (8th of Floreal) inclosing a letter from a lady in Prussia, trans-

mitted you by Citizen Caillard, your minister plenipotentiary at Berlin, addressed to the legislative body of France; stating herself to be related to the late Dr. Franklin; and asking some pecuniary aid, on account, I presume, of the merits of that respectable relative. I am happy you have sent this to me, because I should have been mortified to see a petition presented to your legislature, asking for aid, upon the idea of a claim against us; which claim, if the fact stated were true (as I presume it is) would not be allowed by us. It rarely happens that the merits of one relative procure, in the United States, any favor to another. When a person who had ably and faithfully served his country, as Doctor Franklin did, dies poor, and leaves his children in distress, aid is often extended to them: But Doctor Franklin died in good circumstances; and I presume the relationship between him and this lady must be very remote, considering that he was born in America, and she in Prussia. However I engage myself, with pleasure, to communicate her demand to the grandson of Dr. Franklin, who is now here; and who will doubtless be disposed to pay it all the attention it merits.

[No. XXXIV.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, June 12th, 1796.

I HAVE the pleasure to inform you, that in a late informal conference with one of the members of the directoire, I was advised by him, that the directoire had done nothing in regard to us, upon the subject communicated to you in several of my preceding letters; and that he presumed they would do nothing upon that subject. I trust therefore that their councils are thus settled upon this interesting topic, and that I shall hear nothing farther from them on it. But should they take a different turn, of which at present there is no particular symptom (for the probability of such a course was greatest in the commencement, and whilst the first impressions were at their height) I shall not fail to apprize you of it, and without delay. As yet no successor is appointed to Mr. Adet; nor can I say what the intention of his government is in that respect. I presume, however, upon the authority of the above

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communication, that in case one is appointed, it will be merely in consequence of Mr. Adet's request; and be of course only an ordinary official measure, of no particular importance to us.

As yet none of our countrymen have been compelled to leave Paris, under the late decree, respecting foreigners, and which was occasioned by the late conspiracy. Whether they will or not is uncertain; for the directory, in executing the power granted it by the decree, have authorized none to stay of any nation, for whose good conduct their respective ministers have not made themselves personally responsible. I could not discriminate between my countrymen, by admitting some, and rejecting others; but did every thing in my power to obtain an exemption for all. I send you copies of my letters upon that subject to the minister of foreign affairs, and to which I have yet received no official or other definitive answer.

The truce was lately terminated by the Emperor, in the manner prescribed by the convention which formed it, which stipulated, that it should cease after the expiration of 10 days, upon notice given by either party; and immediately afterwards the campaign was opened by the French, and with the same success, at least to a certain degree, as attended their efforts in Italy. In two rencounters between considerable divisions of the army of the Sambre et Meuse and the Austrians, on the right of the Rhine, the former have gained complete victories; taken in the first (excluding the killed and wounded) about 2400 prisoners, and in the second about 3000, exclusive of the killed and wounded. In Italy, two new victories have been gained, and by which Beaulieu was forced to retreat through the Venitian territory to the Tyrol, leaving the French masters of that country. I send you the papers which give you the details, and am, &c.

[No. XXXV.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, June 28th, 1795.

AFTER my last of the 12th instant, I flattered myself that I should hear nothing further from this government upon the subject of our late treaty with England; but find that

in this respect I was disappointed; having since received from the minister of foreign affairs, a letter upon that subject, and of which I herewith forward you a copy, as likewise of the answer I made to it. It is probable that this act of the minister proceeds from himself, and not from the directoire; since it is presumable from the intimation heretofore given me by a very respectable authority (which I communicated to you in my last) that that body had already determined not to trouble us further on that subject; and in which case less inconvenience is to be apprehended from it. But let it proceed from whatever source it may, I shall not fail to use my utmost efforts to prevent its further progress. I shall see the directoire to day at a general audience, being a day (the first Decadi of every month) on which they receive all the foreign ministers; and as I propose then to speak with some of the members upon the subject, I shall doubtless be able to give you further, and, I hope, more satisfactory information on that head in my next. I have notwithstanding thought proper to forward to you immediately the above, and am, &c.

Extract from the Registers of the Deliberations of the Executive Directory.

Paris, 1st Prairial, 4th year of the Republic.

(May 20th, 1796.)

THE executive directory resolves, that the citizens born without the territory of the Republic, for whom the foreign ambassadors and ministers, have pledged themselves in writing, and who, until now were authorized to reside at Paris, shall be bound to provide themselves with a new and special authorisation within three times twenty-four hours.

Those who shall not have obtained that authorisation, within the said period, shall be bound to leave Paris without delay, under pain of being prosecuted as transgressors of the law of the 21st Floreal last (May 10th.)

The minister of general police is charged with the execution of the present resolve which shall not be printed.

(Signed)

CARNOT, President.

(True Copy)

By order of the Executive Directory.

(Signed)

LAGARDE, Secretary General.

(Signed)

COCHON, Minister of General Police.

(Signed)

CH. DE LA CROIX,

Minister of External Relations.

From the Minister of External Relations, to the Minister Plenipotentiary of the United States of America.

Paris, 2d Prairial, 4th Year of the Republic.

(May 21st, 1796.)

SIR,

THE unpleasant situation, in which the Republic finds herself, has determined the legislative body to pass a severe law against the foreigners, who are not in the employ of the ministers of friendly powers. You have transmitted to me different demands; I have laid them before the directory; it charges me to write you on that subject. It cannot take any decisive step in such a delicate case, without being informed of the motives on which the demands of each individual are grounded; the lists of exceptions which you have transmitted to me, do not express the motives. It charges me to send them back to you, in order that you may please to give a more full account of each individual mentioned therein, and of the motives which oblige them to prolong their residence in this place. It desires that you may enable it to decide before the expiration of three days.

Accept, Sir, the assurances of my perfect consideration.

(Signed) CH. DE LA CROIX.

P. S. Besides the list, you are invited to give a statement, supported by solid motives, of all the other individuals who might have a claim to the exception.

From the Minister of External Relations, to the Minister Plenipotentiary of the United States of America.

Paris, 6th, Prairial 4th Year of the Republic.

(May 25th, 1796.)

SIR,

I HAVE the honor to send you a copy of the resolve of the executive directory, of the 1st of this month, concerning the execution of the law of the 21st Floreal last, and I request you, that when you shall give notice to me of the execution, which you will have given it, you will add, as I

have requested by my letter of the 2d of this month (May 21st) the motives of the stay of each of the individuals of your nation, who have made application for an exemption, in order to continue their residence at Paris, that a definitive permission may be granted to them, if there be cause.

Accept, Sir, the assurance of my perfect consideration.

(Signed)

CH. DE LA CROIX.

From the Minister of Foreign Affairs, to the Minister Plenipotentiary of the United States of America.

Paris, 7th Messidor, 4th Year of the Republic.

(June 25th, 1796.)

OUR last intelligence informs us that the house of representatives of the congress, has consented, by the majority of fifty-one against forty-eight votes, to carry into execution the treaty concluded at London, between the United States and Great Britain, in November 1794. As this advice is derived only from the gazettes, I desire, Citizen, that you will be pleased to inform me what official information you have upon this subject. After the chamber of representatives has given its consent to this treaty, we ought, without doubt, to consider it in full force: And as the state of things which results from it, merits our profound attention, I wish to learn from you, in what light we are to consider the event, which the public papers announce, before I call the attention the directory to those consequences which ought specially to interest this Republic.

(Signed)

CH. DE LA CROIX.

From the Minister Plenipotentiary of the United States of America, to the Minister of Foreign Affairs.

Paris, June 27th, 1796.

I HAVE been honored with yours of the 7th Messidor (25th June) demanding what credit was due to certain publications in our gazettes; which state that the house of repre-

representatives had passed the law necessary to carry into complete effect, the treaty lately concluded between the United States and Great Britain; and in case those publications were authentic, demanding of me further, in what light you ought to view this event, before you called the attention of the directory to it; and to which I readily give, according to the light I have upon the subject, the answer you require.

Upon the first point, permit me to assure you; that I have no information other than what the gazettes to which you refer, contain; having received no official advice upon it, and of course can give you none. And upon the second, I have to observe, that as I have already answered, in a very detailed and, as I supposed, satisfactory manner, your several objections to that treaty, to which I have since received no reply,—it is impossible for me to enter again, and under such circumstances, into that subject. If there are any points in the communication given, upon which you think I have not been sufficiently explicit, and upon which further explanation is required, and you will be pleased to state these to me, I will immediately notice them more particularly, and hope to your satisfaction; since, be assured, there is no political object which I have more at heart, than to preserve by the utmost candor and frankness in all my communications, the best harmony between our two republics.

[No. XXXVI.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, July 24th, 1796.

I HEREWITH transmit you a copy of a third communication which lately passed between the minister of foreign affairs and myself, upon the subject of our late treaty with England, and which seems to have been produced by my reply to his second letter, which sought information whether the house of representatives had passed a law to carry that treaty into effect. I presume therefore, from this consideration, as from the further one, that the diretoire now possesses our view of that subject (which was my object in asking, and theirs in granting the discussion) that it may now be considered as closed.

I have endeavored, as you will perceive, in this my last reply, to divert this government from the subject of this complaint, and which it has so uniformly and vehemently pressed of late, by presenting before it a list of ours also, for injuries received from this republic, in the course of the present war. The attempt, I knew, was a delicate one, at the present time, and under present circumstances ; but yet I thought it my duty to make it, since such a view was intimately connected with the topic in discussion ; might produce, and most probably would produce, a good effect, and especially as I presumed it might be made in a manner becoming the dignity of the nation I represented, and be tempered, at the same time, with suitable respect for the councils of that to which it was addressed.

I sincerely wish it were now in my power to say that this affair was ended, and that neither of us should ever hear of it again ; but this I cannot say ; for so deep founded has their discontent appeared to be, and so vehement their desire to give some signal proof of it ; that it is impossible, even at this moment, to determine in what scale their councils will ultimately settle in regard to us. At one time it was whispered that they meant to bring forward a claim against us, for all their property taken by the British in our vessels, including what was taken in the flight of their emigrants from Saint Domingo ; at another, that they meant to suspend for the present all payments to our citizens, and until satisfaction upon their several complaints was obtained ; and again that they would suspend the operation of those articles in our treaty of 1778, which the minister intimated to me in his last letter the directoire thought it its duty to modify : But yet none of these things are done, nor have I any particular reason to presume they will be done, other than what appears from the general temper of the government, and of which you are already sufficiently informed. Upon the whole, therefore, I think I may venture to observe, that as this government and nation, independent of the points in discussion, are friendly to us, and, as a strong portion of passion has obviously mingled itself with their other motives in respect to these, and which is probably diminished by the time that was gained by the discussion (admitting that *that* was the only benefit gained by it), the probability is, that no such measure will now be taken.

Lately however a new cause of complaint was suggested to me, but in so indistinct a manner and upon so peculiar a subject, that I do not even yet comprehend what was meant by it. It was observed to me, by a person in a high station the

other day, when in conversation with him on the other points, that in our late treaty with Spain, we had likewise forgotten our relations with France. I expressed my astonishment at the intimation, and asked him in what respect; since I could not conceive to what he alluded, France having no territory in that quarter, and of course no rights or interests depending there. He replied (at least so I understood him) that he did not mean to intimate we had committed a breach of engagements, but of friendship only. He then descanted upon the intimate relations subsisting between France and Spain at present, the latter approaching and seeking the aid of the former; to support her colonies against Britain; but gave no explanation of what he referred to in the suggestion at first made; nor have I been able since to ascertain it. I will however endeavor to fathom this business if possible; and will in case I succeed, immediately afterwards unveil to you the mystery.

The success of France in her military operations continues to be astonishingly great, both in Italy and upon the Rhine. All Italy may indeed be considered as subjugated; for the French troops find at present in that quarter no opposing force in the field against them; and Mantua, the only garrison which sustains a siege, is closely invested, and it is thought will soon surrender. The Pope, I hear, has made a provisional agreement with Buonaparte, by which he is to pay about twenty-one millions, fifteen of which in specie, and the residue in articles for the army; to give up one hundred pictures, the rarest pieces of art; 300 manuscripts, and exclude the English from his posts. The king of Naples too has an Envoy now on his way here, and, it is said, with authority to close upon terms favorable to France. It is further to be observed, that the French have entered Leghorn, upon the principle that the English held it, or rather made it a place of deposit for all their supplies for Corsica, and elsewhere in that quarter; and had also violated the neutrality of Tuscany against France. In that port too, much English property was taken by the French, which they deem a lawful prize. The Austrians, when finally compelled to abandon the field, and seek safety by flight into the mountains of the Tyrol, crossed the Venetian territory, and in consequence whereof the French pursued them into Verona. Thus it appears, that no part of Italy can now well be said to be free from the effects of the present war, or not to yield in some mode or other heavy contributions to its support; except Naples at the ex-

tremity, and who is now about to contribute ; and Genoa who loans money, I presume, voluntarily.

Upon the Rhine too the same success has attended the arms of France. Both her armies in that quarter, that of the Sambre and Meuse, under Jourdan, and that of the Rhine and Moselle, under Moreau, have each had several actions with the Austrians, and vanquished them in almost every instance. As one moment, indeed, and after gaining some important advantages, Jourdan retired, as before a more potent enemy, and which brought after him the Austrians, and with accumulated force. At the same moment however, and whilst the attention of the Austrians, elated with their apparent superiority, was drawn to that point, Moreau, who had been inactive, and even made a shew of detaching a considerable part of his force for Italy (provision being made on the rout for that purpose) crossed the Rhine also, at a very difficult passage, where it was expected no such attempt would be made, and attacked and defeated the Austrians in several rencounters, killing many, and taking likewise many prisoners. Since this event, which was about three weeks past, these armies have gone forward slowly, but with a continued career of good fortune, acting in concert though at a considerable distance from each other, and penetrating into the interior of Germany. The last achievement was that of Frankfort, and which was taken by Jourdan, and from which city, it is said, a contribution of thirty five millions of Florins is demanded. Where this bold enterprize will end, and to what extremity the French are disposed to press their fortunes, in case they are not repulsed, it is impossible for me to say. Nothing transpires from this government upon that point, and of course I have no data whereon to rest a conjecture other than you now possess. It is however to be observed, that as the Austrian armies retire, they approach each other, as do the French in advancing. Perhaps it is the intention of the Austrian cabinet they shall unite, in the hope as they are now nearer together, and their junction may in consequence probably be sooner made than that of the French, they may, thus united, attempt something, and with better success against the divided force of France. If this be the case, it is likewise probable we shall shortly witness a greater and more decisive action than has yet been fought. But it is still more probable that peace with Austria, and upon the terms heretofore insisted on by France, will soon close the war between these two powers.

In the interior too every thing has assumed a new and more invigorating aspect than was shewn before, since the commencement of the revolution. Great harmony prevails between the legislative corps and the executive ; and a greater spirit of contentment is discerned by those who travel through France, among all ranks of people than was seen at any time before, since the beginning of that era. It is even said, that a change is gradually making among those who were heretofore deemed the implacable foes of republican government ; many of whom, now that they find they are protected in the rights of person and property, begin to lose much of their hatred to that form. In truth, prior to the establishment of the present constitution, the people of France had little opportunity of judging correctly of the merits of the republican system. They judged of it by what they saw in the revolution ; for Europe exhibited no other example to their view ; and estimating its merits by that standard, they saw in it nothing but a series of terrible and convulsive movements, which they dreaded even more than the tyranny that was lately overthrown. When therefore this circumstance is considered, and the improvement which the new government has introduced is properly appreciated, we immediately perceive the cause to which this change of sentiment in that class is to be ascribed.

The misunderstanding which lately subsisted between Russia and Sweden has been compromised by some concessions on the part of the latter ; among which the recall of Baron de Stael was included, and whose place was committed by the Swedish government to Baron Rehaufey, with the grade of chargé d'affaires. But the French government refused to receive him, it is said, because he was presumed to be appointed under the influence of Russia. One of the ministers of Holland (Blauw) and Reybaz from Geneva were also lately recalled by their respective governments, upon the demand of the directoire, and apparently much against the wishes of those governments ; each of those gentlemen having since received assurances of the undiminished confidence of his constituents. The motive of the directoire for making this demand, in either case, is unknown ; no reason, as I hear, being given for it to either of the governments to which it was made.

Permit me to make known to you the wish of Isaac Cox Barnet, a citizen of the United States, from Elizabeth town (Jersey) to be appointed consul at Brest. This young man is well recommended to me in point of morality ; appears to

possess adequate talents, and from what I hear, is industrious; and being in every view strictly an American, and therefore entitled to the confidence of this country, I beg leave to recommend him to your attention. The interest of our country requires that a consul should be placed at that port; and the character of the port, being the great dock-yard of France, requires that the trust should be confided with care, and to some person whose character would repel suspicion. In addition therefore to what I have said of Mr. Barnet, I beg to refer you to Mr. Boudinot of Jersey, whose nephew he is; and who will doubtless give you more correct information of his merits than I possess.

From the Minister of Foreign Affairs, to the Minister Plenipotentiary of the United States of America.

Paris, 19 Messidor, 4th Year of the Republic,

(July 7th, 1796.)

CITIZEN MINISTER,

THE hope of seeing depart daily the new minister whom the executive directory proposed to send to the United States, prevented my sooner answering your letter of the 25. Ventose (15 of March) last. You call my attention in your note of the 9th of this month (27 of June) to the arguments which that letter contains relative to our complaints against the treaty concluded between the United States, and Great Britain. Time, citizen minister, has sufficiently ripened the points that were then in discussion, and far from being enfeebled, our complaints against that treaty have acquired since, in our estimation, new force. I will content myself then, without entering into details, to announce to you, that the opinion of the directory has never varied upon that point. It has seen in this act, concluded in the midst of hostilities, a breach of the friendship which unites the United States and this Republic; and in the stipulations which respect the neutrality of the flag, an abandonment of the tacit engagement which subsisted between the two nations upon this point since their treaty of commerce of 1778. The abandonment of the principles, consecrated by this treaty, has struck us with greater force, from the consideration that all the other treaties,

which the United States have made, contain them, as from the further one, that these principles are since so generally acknowledged, that they now form the public law of all civilized nations.

After this, Citizen Minister, the executive directory thinks itself founded, in regarding the stipulations of the treaty of 1778, which concern the neutrality of the flag, as altered and suspended in their most essential parts, by this act, and that it would fail in its duty, if it did not modify a state of things which would never have been consented to, but upon the condition of the most strict reciprocity.

(Signed)

CH. DE LA CROIX.

*From the Minister Plenipotentiary of the United States, to the
Minister of Foreign Affairs.*

Paris, July 14th, 1796.

I HAVE received your favor of 19th Messidor (7th July) and am sorry to find by it that the answer I gave to yours of 19th Ventose, containing the exposition of your objections to our late treaty with England, was not satisfactory to you. To this latter letter therefore I shall also make a reply, and in the hope that it will produce its desired effect.

I observe that you confine your objections in this letter to a simple article in that treaty, which failed to secure protection in our bottoms to your goods; and which you deem a violation of a tacit agreement which, you say, has subsisted between the United States and France, since their treaty of 1778; and an abandonment of the principles consecrated by that treaty. You likewise say, that the directoire considers the stipulations of our treaty of 1778, which respect the neutrality of our flag, as altered, and suspended by this act; and that it would think itself wanting in its duty, if it did not modify a state of things which would never have been consented to but upon principles of strict reciprocity.

You seem aware, and with great reason, that you have no right to complain of that stipulation, unless it violates some existing obligation either of the law of nations, or of our treaty with you; and in consequence intimate that it has violated both; for you add, that the principles of that treaty

have, in that respect, become since the law of all civilized nations. I shall endeavour to shew that that article has violated neither the one nor the other.

I presume it cannot be controverted, that by the old and established law of nations, when two powers are at war, either may take the goods of its enemy in a neutral ship. This doctrine is established by the most eminent writers, and admitted in practice by all nations, between whom particular treaties have not stipulated the contrary. To prove this assertion in its first part, permit me to refer you to the following authorities, and which are clear and explicit to that effect ;* and to prove it in the second part, permit me to ask, if the law of nations was not so, why were special treaties entered into by particular nations to stipulate the contrary ? Is it presumable, that any powers would form treaties to establish what was already established ? Or was it thought, when our treaty of 1778 was formed, that, in this respect, it made no change ; or, in other words, stipulated nothing ?

But you say that the law of nations has changed, and that the principles of that treaty have become since, in that respect, the general law of all civilized nations. Permit me to ask you by what authority was this done ; or how it appears that it is done ? I admit that it is changed among those nations who have formed treaties to that effect, and between those only who have formed them ; but further the doctrine cannot be carried. It cannot be said, for instance, that the assent of a particular number of nations to a rule which ought to operate between themselves only, is to become a rule for other nations, who have never assented to it ; or, in other words, that a part of the civilized nations would have a right to dictate a law to another part : Such a doctrine would substitute force to right, and might be productive, in other cases, and especially in the hands of governments less friendly to liberty than yours and ours are, of consequences the most fatal to society : It is therefore in my judgment not a sound doctrine. That Britain opposed the principle that free ships should make free goods in the last war, and has likewise opposed it in the present war, are facts well known to you ; as it likewise is, that all your enemies, in the present war, have done the same, including some who are now your friends ; and to the great detriment of America. Admitting then that a majority of the civilized nations have a right to bind the minority in a rightful cause

* Bynkershoek, vol. 2d. *Quest. juris pub.* lib. 1. cap. 14.

Voet de Jure militari, cap. 5. 2. No.

Vattel lib. 3. cap. 7. Sect. 115, and many others.

(as it is admitted the present one is) how was it to be done upon the present occasion ; when the powers composing that majority had shifted sides, and were now marshalled in opposition to the principle they had lately adopted.

Thus it appears that the article in question has not violated the law of nations, according to the opinion of enlightened authorities, and the practice of nations. Nor has it violated our treaties with France : Upon which latter point I shall also add a few words.

It is to be remarked, that you do not urge a violation of any positive stipulation in our treaty of 1778 ; on the contrary, you charge only the breach of a tacit agreement, which you intimate to have grown out of that treaty. But of what nature was that agreement, and whence is it inferred ? The treaty contains an express stipulation between America and France, that when either of the parties are at war with another nation, it will respect the flag of the other party, trading with that other nation ; and it stipulates no more in that behalf. And its reciprocity is to be found in a change of circumstances ; whereby the party lately at war is now at peace, and enjoying in turn (the other being at war) the privilege of its flag, in trade with the enemy of the other. It does not stipulate that we will unite in imposing that rule on other nations ; nor does it stipulate that we will adopt no other rule with any other nation : Of course we were free to act, in that respect, as we thought fit ; and therefore have violated, by means thereof, no agreement with you either positive or implied.

I concur with you, as I did in my last communication, on this subject ; that the utmost respect is due to the principle of free ships making free goods ; and with you I also unite in the hope, that it will soon become universal ; since it is a principle dictated by reason, and necessary to the freedom of the sea, and in consequence to the peace and tranquillity of nations. The United States have too, as you observe, inserted it in all their treaties, where they could obtain it ; and to which I may add, that they will most certainly continue to press it in their future treaties, as opportunities occur, and circumstances may favor, till it becomes general. To promote which end, however, it is proper here to observe, that an harmonious concert between the two nations is absolutely necessary ; for otherwise it were impossible they should succeed.

You will observe, that in my reply to your complaints, I have heretofore confined myself strictly to the subject of those

complaints; never going beyond them, to expose in return the injuries we have received from this Republic, in the course of the present war. But I might have told you in the outset, that by a decree of the convention in 1793, the articles in question of our treaty of commerce were set aside; and, in violation whereof, about fifty of our vessels were brought into your ports; their cargoes taken from the proprietors, and who yet remain unpaid; that about the same time, and without any motive being assigned, even to the present day, upwards of eighty others of our vessels were embargoed at Bordeaux, and detained there for more than a year; and to the great injury of the proprietors, who yet remain unpaid: That for supplies rendered to your islands in the West Indies, which have been and still are supported principally from the United States, as for innumerable spoliations that have been made, and are daily making upon our commerce in those islands; as likewise, for supplies rendered to the Republic here,—immense sums are due to our citizens, as authenticated by the highest suitable public authorities there and here, and for the want of which many of them are ruined.* I say I did not bring these things forward, because it would have borne the aspect of a recrimination, and which I did not wish any part of my conduct to bear, in any transaction with the French Republic; and because I was disposed to yield every possible accommodation to your present exigencies that my duty would permit; and because I confided and still confide that your government, paying due regard to those exigencies, was disposed and would do all the justice in its power to those suffering individuals. Nor do I mention these things now with that view. I do it, on the contrary, merely to inform you of them; since, as the communications that were made on these topics were made to the preceding government, and are, in consequence, probably unknown to the present one; and since they are interesting facts which you ought to have before you in all deliberations on this subject,—provided it be, as I think it is, equally the interest of both Republics, to preserve for ever inviolate the good understanding which now so happily subsists between them.

* It is worthy of attention, that under these circumstances, and when such considerable sums were due to the American citizens; the United States paid, and before it was due, the whole of the French debt, amounting to upwards of thirty millions, Liv. Tournois. [This was a mistake; the actual sum was about eight or ten.]

For what has passed, the United States have always found an excuse in that unhappy state of things that was attendant on your revolution; and have looked forward to the period, when a free and happy constitution should be established here, as the moment when by conciliatory and friendly councils, the two Republics should harmonize, not in a painful review of any unpleasant incidents that have passed, if such there were, but in devising the means founded in their mutual interest, and to be secured by suitable and permanent arrangements, whereby to increase their harmony, and cement their union; and greatly mortified would they be, if this were not the case. But I trust that this will be the case; and under which impression, and upon the observations already made, I submit the subject now in discussion between us to the wisdom and candor of the directoire executif.

[No. XXXVII.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, August 4th, 1796.

WITHIN a few days past, Mr. Mangourit, formerly consul at Charleston, now secretary of embassy in Spain, was appointed with the rank of chargé d'affaires, to succeed, with us, Mr. Adet. This event, as well in respect to the gentleman employed, as the grade chosen, gave me great concern; and, therefore, merited my immediate attention. Accordingly I visited the minister of foreign affairs this morning, and remonstrated earnestly against the mission of Mr. Mangourit to the United States; as a person who, having given offence to our government upon a former occasion, could not be well received by it, upon the present one.* To the grade, however, I thought proper to make no explicit objection; because I had no reason to conclude that it was chosen with any unfriendly view towards us; and because I presumed, if the measure was broken in one part, it would probably be so in the other. The minister replied to me in terms sufficiently respectful; but nevertheless, in such as induced me to believe, that in case any

* I made no other objection to Mr. Mangourit, but the one stated, and after his removal, expressed a wish to a member of the directoire, as I had been instrumental to it, that the government would appoint him elsewhere.

change was accorded in the measure, it would not be with his consent: He observed, however, that if I would write him a short note on the subject, he would lay it before the directoire; and which I promised I would do.

Within a few days past, too, I heard that the directoire had passed an arrêté, authorising the seizure of neutral vessels destined for England; to take effect when the English likewise seize them. This arrêté was not announced officially; but by the copy of a letter from the minister to Barthelmi, the French ambassador at Basle, published in the gazettes, I saw that the report was true. In consequence, I likewise spoke to the minister on this subject; and received from him, in reply to my remonstrance against it, a general answer, corresponding much in sentiment with his letter above mentioned, a copy of which I herewith inclose you.

It is said, that a treaty of alliance, offensive and defensive, between France and Spain, is in great forwardness, whereby the latter cedes to the former Louisiana, and, perhaps the Floridas. I have no authentic information of this; but the source from whence it came is of a nature to merit attention.

I have the pleasure to transmit to you herewith, some communications respecting our affairs at Algiers, by which it appears, that Mr. Barlow had the good fortune to succeed with the Dey, in prolonging the term allotted for the payment of the sum due him, concluded by our late treaty for the ransom of our prisoners, and for peace; and finally, and although the money was not received, that he had obtained the discharge of our prisoners, and who were fortunately arrived safe at Marseilles. Upon this event, therefore, which not only liberates from a long and painful captivity so many of our countrymen, but in all probability secures the peace which was endangered by the delay of the money stipulated to be paid, I beg leave to congratulate you; since it is an event, not only important in respect to the consolation which it yields to humanity; but equally so in regard to the extension and security of our commerce, in a region of the world heretofore unexplored by it, and where it promises to be very productive.

I commit this letter, with other communications for you, to the care of Doctor Edwards, who will deliver them in person; and to whom I beg to refer you for other details upon the subject of our affairs here, upon which you may wish information. He has been more than a year in Europe, and the greater part of that time here; has had opportunities of correct information; and which he has improved to advan-

tage. To him, therefore, I beg to refer you, as to an authority well informed, and very deserving of confidence. I am, &c.

[No. XXXVIII.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, August 15th, 1796.

BEING highly impressed with the impropriety of Mr. Mangourit's mission to the United States, and in consequence very desirous to prevent it, I thought proper to state my objections to it in person, to a member of the directoire, with a request that he would communicate the same to the directoire; and have now the pleasure to inform you, upon the authority of that member, that the arrêté appointing him is rescinded.

I lately received an account from England of the capture of one of our vessels, upon our coast, on the point of entering one of our ports, taken by a French privateer, upon a presumption she had English property on board, as she was cleared out from that country. Although this report was not so well authenticated, nor accompanied with the necessary details, to enable me to act officially on it; yet as it might be and probably was true, I communicated it immediately to the minister of marine, asking whether such orders were given. He appeared astonished at the report, and declared, that none such were issued. I conclude, therefore, that this outrage, if really committed, is an unauthorized one; and for which we shall obtain, from the proper parties, in convenient time, a suitable reparation.

The French troops continue to enjoy an uninterrupted career of good fortune, both in the Empire and in Italy. In the former they meet with little opposition; for as they have a decided superiority there, the Austrians appear, in consequence, carefully to avoid a general action; and, therefore, retire slowly before them. And in Italy, a series of victories were lately obtained by Buonaparte over Wurmser, which are deemed more brilliant than even those he had before achieved over Beaulieu, Wurmser's predecessor. To protect the garrison of Mantua, and retrieve the fortune of Austria in Italy, a considerable force was detached from the Rhine, with other troops gathered from other quarters, under Wurms-

fer, and who passing the Tyrol descended into Italy, and attacked Buonaparte, and in the commencement with some success. But this reverse of fortune was transitory, as it was sudden; for as soon as the latter gathered together his troops, he returned upon his antagonists with accumulated force; and in the course of a few days, as appears by official documents, totally demolished his army, killing and taking upwards of twenty thousand men.

It is lately reported that Mr. Hammond is appointed to repair here to treat for peace; but as yet he has not arrived, nor have we other details on that head than are now in the English papers. With, &c.

[No. XXXIX.]

FROM MR. MONRØE, TO THE SECRETARY OF STATE.

Paris, August 27th, 1796.

AFTER the accommodation which was shewn in the case of Mr. Mangourit, by abandoning the project of sending him to the United States, I thought the crisis had passed here, and that nothing was further to be apprehended from the temper which occasioned it. But in this I was disappointed; for I now hear, that it is decided to recall Mr. Adet, without nominating a successor to him; and that he is to be instructed to declare to our government, that the customary relations between us are to cease, and on account of our treaty with England; with other things to the same effect. * * * *
I shall see the minister to-morrow, and endeavor to lead him to this subject, if possible; and in any event renew my exertions to prevent the measure, though, indeed, I begin to despair of success; so often do they return with the same disposition to the same subject.

I am told the treaty with Spain is probably concluded; and by which France is to have Louisiana and the Floridas. This might have been obtained when peace was made with Spain; but was declined from the fear it might ultimately embroil them with us. The acceptance of it now, therefore, shews that that motive has less weight at the present time, than it then had.

It is generally believed, that an attempt will be made to invade England; great preparations being made along the coast for that purpose, in troops, boats, &c. and it is also believed, that the fleet from Cadiz is intended to make a diversion somewhere, for the purpose of drawing the British fleet out of the channel, to favor the project of a descent. This is strongly supported by circumstances, and is, therefore, more than probable.

It is even whispered, that an attempt on Canada is to be made, and which is to be united with Louisiana and the Floridas to the south; taking in such parts of our western people as are willing to unite. This is worthy your attention, though it may be mere report.

I will write you again in a day or two, since this is dispatched in haste on account of the importance of the communication which it contains.

From Mr. Monroe, to Mr. King.

Paris, August 28th, 1796.

As soon as the order of this government, as notified by the minister of foreign affairs to Barthelemi, the French minister at Basle, appeared in the papers (for it was never notified to the foreign ministers here) I applied for information, whether orders were issued for the seizure of neutral vessels, stating, equally as the motive of my application, a report apparently well authenticated, that one of our vessels had been lately taken near our own coast; and was informed that no such order was issued; and further, that none such would be, in case the British did not seize our vessels. I am happy to give you this information, because I flatter myself the knowledge of this fact may be useful to our commerce with the country in which you reside.

From Mr. Pickering, to Mr. Monroe.

DEPARTMENT OF STATE.

June, 13, 1796.

SIR,

I HAVE to acknowledge the receipt of your several letters of Nov. 5th. Dec. 6th and 22d, 1795, and of Jan.

26th, Feb. 16th, and 20th, and March 10th and 25th, 1796.

On a full consideration of the case of the consul at Hamburg, the president has determined to make a change, as soon as a proper person can be found to supply the place of Mr. Parish; the substitute, if possible, will be an American Citizen. The minister of the French Republic has lately presented the complaints of the French Directory concerning that consul; copies of Mr. Adet's letter and my answer you will find inclosed.

With regard to the armed vessel called *Le Cassius*, about which the directory have made the representation which you inclosed, a full statement shall be prepared for your information; at present I will only remark, that she is the same vessel, which, under the name of *Les Jumeaux*, was fitted out in the port of Philadelphia, in direct violation of the laws of the United States. This fact has been established by legal process; the agent who fitted her having been convicted of the offence in the Circuit Court. On her return to this port from the West Indies, she was known to be the same vessel, with a new name. Some Philadelphia merchants, whose vessel had been captured by *le Cassius*, had her attached by the usual process of that court, and she remains in the custody of the marshal awaiting the court's decision. If the property of the vessel had not been changed (and that it has been changed is yet to be legally proved) she would certainly be forfeited—*forfeiture* being the penalty of the law, one half to the use of the prosecutors.—The alledged change of property gives rise to a question which the judiciary must decide. The process has been issued at the suit of *private persons*, not by the *government*; and you know that the executive cannot take the vessel from the cognizance of the judiciary.—This has been repeatedly and fully explained, many months since, to Mr. Adet.

But the principal matter which now demands attention is what concerns the late treaty between the United States and Great Britain.

Of the views of the government of the United States on this subject you have long since been possessed, as well before as subsequent to its ratification. These views were communicated to you for the sole purpose of furnishing you with the means of removing objections, and dispelling jealousies. By your own representations, both objections and jealousies existed. It has therefore been a matter of no small surprize to the president, that during so long a period you contented yourself merely with having those means in your possession, with-

out applying them to the object for which they were transmitted.

As early as October last you predicted, that if Mr. Jay's treaty should be ratified, it would excite great discontent in France. Early in November you mentioned the arrival of Mr. Fauchet, extremely dissatisfied with the treaty; adding that he was well received, and would therefore be attended to. On the 6th of December you acknowledge the receipt of my letter of September 12th, written subsequently to the ratification of the treaty, to repeat and further explain the principles and views of the government concerning it. Mr. Adet's objections to the treaty, and their refutation accompanied my letter. And with such means in your hands,—means amply sufficient to vindicate the conduct of the United States, not less regret than surprize is excited, that no attempt was made to apply them to the highly important use for which they were sent. Although you anticipated discontents—although the symptoms of discontent appeared—although these symptoms unattended to and unallayed might increase to an inflammation—and Mr. Fauchet's arrival, with all his dissatisfaction and prejudices about him, would assuredly add to the irritation,—yet you were silent and inactive, until on the 15th of February you were alarmed by the project of the directory, *accidentally* communicated to you by the minister for foreign affairs, of sending to this country an envoy extraordinary, to represent to our government their decision concerning the treaty with Great Britain; “that they considered the treaty of alliance between us as ceasing to exist, from the moment the treaty was ratified.” Your letter of the 20th of the same month describes your second interview with the minister on the project of sending an envoy extraordinary; and the reasons you urged to dissuade them from it were certainly very cogent. Your letter of the 10th of March informs us that the project was laid aside; and your letter of the 25th of March, that you had had an audience of the directory on the subject; and that they had agreed to suspend their proposed extraordinary mission, until the points in question should be discussed between you and the minister for foreign affairs. The result of this audience appears satisfactory; and from the good effect produced by the partial explanations then given, may be calculated the happy consequences of the full communications which might have been made, and which for so long a time you had possessed the means of making, in vindication of the measures of the government you represent. That these were not made—that they had

not been made even so late as the 25th of March, is again to be extremely regretted; because the justice, the honor, and the faith of our country were questioned, and consequently their most important interests were at stake.

It is painful to dwell on this subject.—You have here the sensations of the president in relation to the line of conduct you have pursued. He trusts the explanations you proposed have now been given—that they have been full and satisfactory to the French government: It is unnecessary to add, that if by any possibility they should not have been given, the president expects they will no longer be withheld. If personal interviews are difficult to be obtained, a written communication may at any time be made; and the latter is evidently the most eligible mode; it is the mode which the president expressly desires may be adopted; and that a complete copy of the communication may be transmitted to this office.

I have the honor to be, &c.

TIMOTHY PICKERING.

From the Minister Plenipotentiary of the French Republic, near the United States—to the Secretary of State.

Philadelphia, 12th Prairial, 4th Year of the Republic.

(May 31th, 1796.)

SIR,

THE executive directory has just sent me the order to demand formally of the government of the United States, the recall of Mr. Parish, the American consul at Hamburgh. I hasten to fulfill its intentions, and to state the motives on which the demand of my government is grounded. I think this cannot be done in a better manner, than by transmitting you an extract of the dispatch which I have received on that subject.

“The executive directory is informed, that Mr. Parish is not only the avowed agent of England for the fitting out of the French emigrants; but that in his quality of American consul he gives passports for France to Englishmen, under the title of Anglo-Americans. A conduct so reprehensible must needs excite the indignation of both governments. It is the ex-

treme of perfidy ; since, under the seal of an alliance we cherish, it accredits among us the spies of England.

“The French Republic at war with an enemy, more to be dreaded because of his intrigues, than redoubtable by his arms, has in vain taken every precaution which a legitimate defence commands. The agents of the cabinet of St. James introduce themselves on our territory, sow there the seeds of disturbance and sedition ; and the consul of a friendly power does not blush to abuse his character in order to favor Englishmen in France, by rendering himself guilty of the crime of forgery.”

I shall not allow myself the liberty of adding a single reflection to that extract ; It would be to insult the government of the United States, if I were to say more on that subject, in order to induce it to avenge that infringement upon the faith of treaties, that violation of the guarantee of nations.

Accept, Sir, the assurance of my esteem.

P. A. ADET.

*From the Secretary of State, of the United States, to the Minister
Plenipotentiary of the French Republic.*

DEPARTMENT OF STATE,

June 2d, 1796.

SIR,

Yesterday I received your letter of the 31st of May, communicating the request of the directory of the French Republic, that Mr. Parish, consul of the United States at Hamburg, may be recalled.

I have now, Sir, the honor to inform you, that in consequence of a letter from Mr. Monroe, received the last autumn, suggesting some complaints against Mr. Parish, an enquiry was directed to be made, in order to ascertain how far they were founded, and whether any really exceptionable conduct of his required a change in the consulate at Hamburg. The information expected from the proposed enquiry has not been received. But some facts have otherwise become known, which although they do not impeach the integrity of Mr.

Parish, or derogate from his mercantile reputation ; yet if an *officer* of the United States, they deserve to be noticed.

Mr. Parish is not, nor ever was, a citizen of the United States. He is a foreign merchant of great eminence, established at Hamburgh. He had been particularly friendly to the United States, especially at the commencement of their revolution, when friends were invaluable, and was instrumental in procuring for them important supplies. These good offices, his fair character and his mercantile abilities and influence, originally pointed him out as the guardian of the American commerce at Hamburg. But the United States could not expect that a man of such extended correspondence in trade would confine his agency to the affairs of the United States alone. It must certainly have been understood, as in all like cases where foreign merchants are appointed consuls, that while, as our consul he protected our commerce, he would continue free to carry on his usual mercantile business. If an idea had been entertained that he must have relinquished this as a condition of holding the American consulate, assuredly he would have refused the latter.

As a merchant, then, Mr. Parish would naturally consider himself at liberty to transact, for any body, any business of the kind usually intrusted to the management of a merchant ; and hence we may account for his agency for Great Britain, as mentioned in your letter. But the other information given to the directory, that Mr. Parish, as an American consul, gives passports to *Englishmen*, under the title of Anglo-Americans, for the purpose of introducing into the French territory emissaries of the British Court, imports a crime of so deep a die, as may well justify an opinion that the persons who gave the information were in an error.—Mr. Monroe, in his letter before referred to, having mentioned the necessity for Mr. Parish to issue passports, and remarked on the importance and delicacy of the trust, says—“In justice however to this gentleman, I must add, that I do not know any instance in which he has betrayed it.”

Thus much, Sir, it seemed proper to communicate to you, to explain the transactions of Mr. Parish, and the conduct of our government respecting him. Desirous, however, of maintaining a course of action, as impartial as his principles, the president has for some time contemplated a change in the consulate at Hamburg, and proposes to supply the place of a foreigner by an American citizen. This change will be

made as soon as a fit character shall present to succeed Mr. Parilh.

I am, &c.

TIMOTHY PICKERING.

[No. XL.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, Sept. 10th, 1796.

I HAVE been just favored with yours of the 13th of June; the only one received from the Department of State, since that of the 7th of January last, a note from Mr. Taylor of the 13th of May excepted.

You charge me in this letter with a neglect of duty, in omitting, as you state, to dissipate by a timely and suitable application of the lights in my possession the discontent of this government, on account of our late treaty with England; and you support this charge by a reference to certain passages in my own correspondence, which state that this discontent broke out in February last, four months after I had received a letter from yourself and Mr. Randolph, upon the subject of that treaty; and whence you infer, and on account of the delay or interval which took place between the one and the other event, that I was inattentive to that important concern of my country, and urge the previous and strong symptoms of discontent which I witnessed and communicated, as an additional proof of my neglect.

Permit me to remark that this charge is not more unjust and unexpected, than the testimony by which you support it is inapplicable and inconclusive: Indeed it were easy to shew, that the circumstances on which you rely, if they prove any thing, prove directly the reverse of what you deduce from them.

If such discontent existed and the formal declaration of it, or commencement of measures in consequence of it, was delayed (and the greater the discontent, and the longer the delay, the stronger the argument) and any inference applicable to me was drawn from that circumstance, I should sup-

pese it would be precisely the opposite one from that which you draw. Where a discontent exists, it is natural and usual for the party feeling it, to endeavour to remove it, or express its sense of it ; but the pursuit of an opposite conduct for a great length of time, and especially a time of revolution, and when a different and more peremptory one was observed to all the other powers, is no proof, without other documents of negligence in me.

But why did this discontent not break out before these letters were received ? You saw by my communications, as early as December 1794, and which were frequently repeated afterwards, that it existed, was felt upon our affairs here, and was likely to produce the most serious ill consequences, if the cause continued to exist. If these accounts were correct, why did this government take no steps under its first impressions, and particularly in August 1795, when Paris was starving, and our vessels destined for the ports of France were seized and carried into England ? Was not this a crisis difficult for me to sustain here ; when the eyes of France were fixed upon me, as the representative of the nation upon whose friendship they had counted ; as the man who had just before been the organ of declarations the most friendly ? Why leave us afterwards, and until the last stage, to our unbiafed deliberations upon that subject, and without an effort to impede their free course ? Do difficulties like these, with the result which followed, give cause to suspect that I was idle or negligent at my post ? That I was at any time a calm or indifferent spectator of a storm which was known to be rising, and which threatened injury to my country ? Or that I withheld any light which came to my aid, and which might be useful in dissipating it ?

I do not wish to be understood as assuming to myself the merit of this delay ; because I know, thinking and feeling as the government did on this subject, that the strong bias of affection which this nation entertained for us, was the true cause of it. But I well know, that I have done every thing in my power, and from the moment of my arrival to the present time, to promote harmony between the two republics, and to prevent this from taking any step which might possibly disturb it, and which I have done as well from a sincere attachment to both, as from a persuasion, let the merit of the points in discussion be what they might, that a continual, temperate, and friendly conduct towards us was the wisest policy which this government could adopt, and would produce the best effect upon that union, which it is, I presume, equally its wish and

its interest to preserve, and of course leave to its councils less cause hereafter for self reproach. It is from the sincerity of these motives and the knowledge this government has of it, that I have incessantly made efforts to preserve that harmony, and been heard in friendly communication, and often in remonstrance upon the topics connected with it, in a manner I could not otherwise have expected.

But you urge, that as I knew this discontent existed, I ought to have encountered and removed it. I do not distinctly comprehend the extent of this position, or what it was your wish, under existing circumstances, I should have done. Till the 15th of February, no complaint was made to me by this government against that treaty; nor did I know before that period that any would be; for, from the moment of its organization till then, the utmost reserve was observed to me by it on that subject. - The intimations which I witnessed, were written before the establishment of the present government, and drawn of course from circumstances which preceded it. Of the probable views therefore of the present government in that respect, I spoke only by conjecture. Was it then your wish, that because I suspected this government would be or was discontented with that treaty, that I should step forward, invite the discussion, and provoke the attack? Would it have been politic or safe for me to do it; and especially upon a subject so delicate, and important as that was! And had I done it, would I not have been justly censured for my rashness and indiscretion? And might not even different motives have been assigned for my conduct? To me, I own, it always appeared most suitable, as well as most wise, to stand on the defensive; and to answer objections only when they were made; upon the fair and reasonable presumption, till they were made, that none would be; and upon the principle, if none were made, that our object was obtained; and if there were, that then there would be sufficient time to answer them, and in a regular and official manner. By this however I do not wish to be understood, as having declined at any time informal friendly communications, on this or other subjects, when suitable occasions occurred; for the contrary was the case, as is already observed.

What the circumstances were, upon which I founded my opinion of the probable ill consequences of that treaty, in case it were ratified, were in general communicated, as they occurred. There was however one other, and which was particularly impressive at the time, omitted then, but which I now think proper to add, because it was that upon which I founded the

intimation given you, in my letter of the 20th of October, on that head. Calling one day, upon the subject of our Algerine affairs, informally, upon Jean de Brie, who had, in the committee of public safety, the American branch under his care, I found him engaged upon that treaty, with a copy of it before him, and other papers on the same subject. I began with the object of my visit, and from which he soon digressed upon the other topic, and with great asperity; adding that he was preparing a letter for me on that subject, to be submitted to the committee. I answered his charges in the manner which appeared to me most suitable, and finally asked him, if he had received the correspondence which took place on that subject between Mr. Adet and Mr. Randolph; and to which he replied that he had not. I then informed him I had that correspondence, which was an interesting one; and requested he would permit me to give him a copy of it; and further that he would delay his report to the committee, until after he had perused and fully weighed it, which he promised; and in consequence I immediately afterwards gave him a copy of that correspondence. This incident took place just before the movement of Vendemiaire, by which the execution of the project *contemplated* was probably prevented. I omitted this before, because I hoped it would never be revived; and because I did not wish to give more pain on this subject, and especially as I soon afterwards found that the treaty was ratified, than could be avoided. And I now mention it, as well to shew the strong ground upon which that intimation was given; as to prove that none of the lights furnished me, in that respect, were withheld.

So much I have thought proper to say in reply to your favor of the 13th of June; and now it remains for me to proceed with a detail of the further progress of this business here, since my last; at least so far as I am acquainted with it.

I sought immediately after my last was written, and obtained as soon as I possibly could obtain it, an informal conference with some members of the directoire, upon the subject of my last; beginning by expressing my concern to hear they were still dissatisfied with us, and proposed taking some step in consequence thereof; and which I sincerely regretted because I had concluded the contrary was the case, after the explanation I had given to their several complaints; and because I thought any measure which had an unfriendly aspect towards us, would be equally detrimental to theirs and our interest. They severally replied, they were dissatisfied

with us, on account of our treaty with England, and thought that the honor of their country would be sullied in their hands, if they did not say so. I endeavoured to lead them into conversation upon the points to which they objected; but soon found they were averse to it, and were of opinion that too much time had already been bestowed on that subject. One of the members however observed, that the abandonment of the principle that *free ships made free goods*, in favor of England, was an injury of a very serious kind to France; and which could not be passed by unnoticed. I told him, that in this nothing was abandoned, since by the law of nations, such was the case before; and of course that this article only delineated what the existing law was, as I had fully proved in my note to the minister of foreign affairs; that we were not bound to impose the new principle on other nations. He replied, if we could not carry that principle with England, nor protect our flag against her outrages, that that was always a reason why France should complain; that they never asked us to go to war, nor intended so to do; but that the abandonment of that principle formally by treaty, at the time and under the circumstances we did it, in favor of that power, was quite a different thing. Finding that a further pressure at the time might produce an ill effect, and would certainly not produce a good one, I proceeded next to the other points, and to hint what I had heard of their intention with respect to Canada and Louisiana, and to which it was replied, that in regard to Canada, they had no object for themselves; and in regard to Louisiana, none which ought to disquiet us; that they sincerely wished us well, and hoped matters might be amicably adjusted, since they were disposed to meet suitable propositions to that effect with pleasure; adding in the close, that the minister of foreign affairs was instructed to communicate to me the *arreté* they had passed; but in a manner to impress me with a belief it was done rather for the purpose of enabling me to transmit it to you, than address them at present further on the subject. Through other channels I have since heard, that this *arreté* is withheld from me, and will be, until the dispatch is gone; and with a view of securing themselves against further interruption from me, in the present stage, upon the measure adopted.

From what information I can collect of the contents of this *arreté* from other sources (for from the above none was collected) it is to suspend Adet's functions; instructing him to



declare the motive of it ; and which, I presume, will correspond with what was declared here, leaving him there for the present : But what he is farther to do is not suggested, nor can I form a conjecture of it, until I received the communication promised by the minister of foreign affairs ; and which I shall endeavour to procure, as soon as possible.

I herewith enclose you a copy of a communication from the minister of foreign affairs, with my reply to it ; and by which it appears that a truce is obtained by our agent from the Regencies of Tunis and Tripoli, and with the aid of France.

*From the Minister of External Relations, to the Minister
Plenipotentiary of the United States of America.*

Paris, 13th, Fructidor, 4th Year of the Republic.

(Aug. 30th, 1796.)

CITIZEN MINISTER,

I HAVE the honor of transmitting you a dispatch of Citizen Herculais, consul of the republic at Algiers. You will thereby see, that he has not a little contributed to the truce lately concluded between the Regency of Tunis and the United States of America. He adds, that these preliminaries will ere long be followed by a peace.

It is my duty, citizen minister, to inform you that by interposing his good offices, on this occasion, the consul of the French Republic has acted, in conformity to the intentions of the executive directory, agreeably to the eighth article of the treaty of commerce of 1778, between the United States and France. The French Republic had already interceded in favor of the United States, with the other Regencies of Barbary. This new proceeding, will be for the federal government a fresh proof of the good faith of the executive directory in fulfilling the engagements contracted by the treaties.

Health and Fraternity.

(Signed)

CH. DE LA CROIX.

Extract from the Dispatch of Citizen Herculais,

Algiers, the 24th of Messidor,

(July 12th, 1796.)

THE Americans have concluded a truce with Algiers, by the interposition of Faurin to whom I had addressed the consul of America. [see my letters No 1 and 2.] Yufuf Sapatap said, that knowing how much I had the success of this affair at heart, he was very glad to give me that token of friendship, and that he would do every thing in his power, in order to remove all obstacles.

True Copy (Signed)

CH. DE LA CROIX.

Minister of External Relations.

*From the Minister Plenipotentiary of the United States of America,
to the Minister of Foreign Affairs.*

Paris, Sept. 2d, 1796.

I HAVE been favored with yours of the 30th of Aug. (13th Fructidor) communicating the agreeable and interesting intelligence of a provisional treaty being entered into by the United States with the regencies of Tunis and Tripoli; through the mediation and friendly interference of your consul at Algiers; which I shall immediately make known to our government; being always happy to be the organ of such communications as are calculated to strengthen the ties of friendship between the two republics.

[No. XLI.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, Sept. 21th, 1796.

As yet I have heard nothing from the minister of foreign affairs, respecting the arreté of the directoire, mentioned in my last; and which I understood he was instructed to

communicate to me. I therefore conclude that the delay is intentional; and that I shall not hear from him, until the dispatch is gone; and after which it will be useless; indeed I consider it in that light at present, and for reasons heretofore communicated, which every day further experience more fully confirms.

But being extremely anxious to fathom the point, whether this government intended any thing really hostile to us, beyond what it calls a reprisal for our treaty with England, or indemnity against its consequences; and in particular whether it meant, in case it became possessed of Canada, Louisiana and the Floridas, to invite our western people to a junction with them, and thus eventually dismember us, in case they were willing, I lately revived a conversation mentioned in my last, with a member of the directoire, leading it more directly to this point, than I then did or was able to do, and obtained from him the answer I wished. He told me explicitly, they had no object with respect to Canada for themselves, but wished it separated from England: That they were not anxious about Louisiana, and if they took it, it would be only in case of a war between Spain and England, and then the principal motive would be to keep the British from it, who would doubtless endeavour to avail themselves of such an occasion to seize the mouth of the Mississippi: That, with respect to our interior, we had no cause to be uneasy; for there did not exist, in the breast of a member of the government, an intention or wish to disturb it; that they would take no step they did not avow to our government, and that therefore we need harbour no suspicion of designs from them, beyond what they did avow.

I have likewise obtained information from other, and I think authentic, sources, upon this point, and by which I am the more confirmed in the integrity of the above communication.—In short, I am satisfied that no such project exists at present, either on the part of this government, or the western people of the United States; and that what has been whispered on that subject is either the suggestion of slander, originating perhaps with those who wish it; or the offspring of fancies too much agitated with the danger of the present crisis. From the year 1786, a period remarkable for the pernicious tendency which an unfortunate and disastrous negotiation had upon our affairs in that respect, till our late treaty with Spain, we were always in a greater or less degree menaced with that misfortune; but by that treaty all danger from that source was happily done away; and now that equal

rights in navigation are secured to every part of the federal empire, there appears to be nothing in the political horizon which clouds the prospect before us, or which ought to inspire a doubt that our union will not be perpetual. By this however I do not wish to inculcate an opinion, that we ought to be over confident of our security upon this or any other point; or inattentive to the necessary means of preserving it, for in no situation of affairs ought this to be the case, in the present one therefore a greater degree of vigilance is of course the more necessary.

An order was lately issued, as I have reason to believe, to seize British property in neutral vessels; and to bring those vessels into port, for that purpose. I did hope, and indeed understood at first, that the arrêté of the directoire was provisional, and intended to be applied only to such cases of British seizure, as occurred last year; and such I think was the case at first. But now it is said it is modified as above. I have written to the minister to demand an official information upon this point, and in the interim have communicated the fact, as I understand it to be, to Mr. King, to whom the information may be useful.

I send you a copy of the treaty of alliance, offensive and defensive, between France and Spain; and which, as you will observe, contains no stipulation respecting Louisiana, and the Floridas. Nor have I any reason to conclude that there is any secret article on that subject. I rather think, from what I can collect, that it is a point still in negotiation between those powers; and protracted by the indecision of France, whether to accept or reject it; and whose decision upon it may be essentially influenced by the relation which is to subsist, for the future, between this country and ours. If this relation is established upon the close footing they wish it, then I think it probable (should the question be so long protracted) this government will decline accepting it; from the fear it might prove a cause of jealousy between us and weaken that connection. But should the contrary be the result, then I think they will act otherwise, and endeavor not only in this respect, but by every other practicable means, to strengthen their own resources; and to make themselves as independent of us as possible. Upon this subject however I never touched with them, nor do I hazard a conjecture on it other than on general circumstances already known to you.

Jourdan was lately compelled to retreat through a considerable tract of country; being defeated, as I presume (for the details are unknown) in several severe actions and rencount-

ers, and doubtless with great loss. He at present sustains himself upon the Lahn, where he occupies a strong position, and thinks himself secure. Beurnonville is however on his route from Holland, at the head of twenty five thousand men, to join, and, as it is reported, to supercede him ; it being a maxim of this government to remove, and without delay, every unsuccessful general, upon the presumption that the spirit of the troops cannot be well revived, under the same person, with whom they were depressed. Moreau writes, that he is doing well ; and Buonaparte renders an account of a recent and more brilliant victory obtained over Wurmsler, in the Tyrol, if possible, than the former one ; having actually taken sixteen thousand prisoners, about seventy cannon, with all kind of military stores, and completely broken the army he had lately formed there.

The march of Beurnonville from Holland argues a secret understanding between the directoire and the king of Prussia ; and the late treaty between France and Spain, almost the certainty of a war between the latter and England.

An attack was lately made upon a camp near Paris, consisting of six or eight thousand men, by about as many hundred ; and in which the latter were repulsed, many of them taken prisoners ; and who are now under trial by a military commission. Of those upon whom sentence is pronounced, some were condemned to capital punishment, which was immediately executed ; others to exportation, and some to confinement : The residue, which constituted by far the greatest part, were acquitted and discharged. This enterprize was undertaken by a party who wish to overthrow the government, or rather to make confusion (for so small a number could not expect to overthrow the government) and whose ostensible object was to establish the constitution of 1793. The presumption too is, that it had favourers in the camp, or that it would not have made an attempt on the camp ; but of this there was no proof that I have seen. It is doubtless a suite of Babœuf's conspiracy, originating in the same source, and conducted by the same active, though invisible, agents. To the details of this trial, we must look for a more accurate developement of the character of this affair, than can be obtained at present from any other source.

In general the people of this country are wearied with the war ; but yet there are no symptoms of an approaching peace with the Emperor, or with England. The directoire, it is said, wishes peace, and upon reasonable terms ; but of this I have no information to be relied on. The state of the finances too

must be bad ; indeed it is inconceivable how three or four hundred thousand men, the minimum in my judgment of the French force on foot, with the expenses of the civil government, the colonial establishment and the navy, are sustained. True it is, that immense contributions have been levied in the course of the present year in foreign countries ; and in addition to which it may be observed, that the occasional sales of the national domains, and the various taxes which are collected, might likewise form a considerable resource. The conflict of parties also in the two councils is often great. The fact is, the present constitution was formed by the party of the moderates ; and by the movement of Vendemiaire, in which neither had a hand, the execution of its functions was committed to the opposite one. The former party therefore was dissatisfied with this event ; and looks forward to the approaching elections, as to a period when it will begin to recover back the power it then lost. To this period also the royalists look forward with anxious hope, that it will present something favourable likewise to their views. This period is however now distant six months ; and though a circumstance in perspective, worthy of attention, in a sound calculation of the probable ultimate issue of the revolution ; yet perhaps too remote, and even too trival, considering the immediate and urgent pressure of other causes, to have much influence with either of those powers, and especially the Emperor, in deciding him at present upon the great question of war or peace.

From Mr. Monroe, to Mr. King.

Paris, Sept. 18th, 1796.

I HAVE reason to conclude, that this government has lately issued orders to its vessels of war and cruisers to seize British property in neutral bottoms ; upon the principle that the British seize their property in like manner. I have this information from a source not strictly official, but which precludes all doubt of its authenticity ; and have therefore thought it my duty to communicate it to you without delay. I expect daily further explanations from this government upon this subject ; and after which, and especially if any thing occurs which varies from the purport of the present communication, be assured I will immediately apprise you of it.

[No. XLII.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, Oct. 6th, 1796.

I INCLOSE you a copy of my letter to the minister of foreign affairs, demanding whether orders are issued for seizing the property of their enemies in our vessels; and to which I have yet received no answer. I am confident however, that such orders are issued; being assured of it through other channels, apparently too direct to admit any doubt of the fact.

I enclose you also copies of three notes from him and of my replies: The two first of which respect the judicial process sustained in one of our courts against Governor Collot, late of Guadeloupe; and the third a report said to be circulating here, that the president had laid an embargo on all French vessels in our ports. These communications contain every thing that has passed between this government and myself, since my last; and of course every thing that I can now add to what you have already received.

The army of Sambre and Meuse has retreated to the Rhine; where it was met by twenty five thousand men from Holland, under Beurnonville, to whom the chief command is transferred. The reports of the loss sustained by this army are various; some accounts make it twenty thousand, whilst others reduce it to six; but in my judgment the former approaches nearer the truth: Great part of its artillery must likewise have been lost. The retreat of this army exposed the other, of the Rhine and Moselle, under Moreau, to danger; and from which it is not yet extricated. It is known that this latter is also on the retreat; and the Arch Duke is now bending his force towards it. Some accounts say that Beurnonville will be able so to co-operate, as to give effectual aid; but which is denied by others. At the present moment therefore nothing certain can be given you of the actual state of that army, or of what will probably result from it. In a short time however I expect to be able to be more full and explicit on this subject.

It is said that an English minister is at Dieppe on his way here; and that a Portuguese one is in town, with a view no doubt, on the part of each, to treat of peace.

From the Minister Plenipotentiary of the United States of America, to the Minister of Foreign Affairs.

Paris, Sept. 21th, 1796.

I HEAR that an order has issued from your government for seizing the property of your enemies in neutral bottoms ; and to ascertain the verity of which report, I take the liberty to address myself to you ; it being a measure, in case it be true, which cannot otherwise than deeply affect the interest of the United States ; and of course upon which I ought to possess the most correct and early information.

Extract from the Register of the Resolves of the Executive Directory.

25th Fructidor, 4th year of the Republic.

(Sept. 11th, 1796.)

The Executive Directory resolves as follows :

THE minister of foreign affairs will declare to Citizen Monroe, minister plenipotentiary of the United States of America, that if the Federal Government does not put a stop to the procedure against the Citizen Collot, and does not refer those who sue him before the government and his natural judges in France, the executive directory will take the necessary measures, that reprisals shall be used for reparation of all the injuries of the American government, and of its agents, towards the French citizens and government.

This resolve shall not be printed.

(Signed) L. M. REVEILLERE LEPEAUX, President.

(True Copy) By the Executive Directory.

(Signed) LAGARDE, Secretary General.

(Signed) CH. DE LA CROIX,

Minister of Foreign Affairs.

From the Minister of Foreign Affairs, to the Minister Plenipotentiary of the United States of America.

Paris, 4th Complementary-day, 4th Year of the Republic.

(September 20th, 1796.)

CITIZEN MINISTER,

I SUBMITTED to the executive directory a report upon the affair of Citizen Collot, judicially pursued, for two years past, before the tribunals of the United States; for having, while he was governor of Guadeloupe, caused to be seized a vessel laden with counter-revolutionary writings which came from Philadelphia.

The executive directory considers the suit brought against the Citizen Collot, for this administrative act, for which he was accountable only to the French government, as a violation of the principles of the rights of nations, and of all political maxims.

The Federal executive, upon the several reclamations which were made by our diplomatic agents, should have represented to the supreme court, that they had no right to take cognizance of this affair; and that it ought to have referred the adversaries of the governor of Guadeloupe, to the French government, alone competent to take cognizance of their plea of damage and interest. But your executive have remained silent, and the tribunal before whom this affair was brought has ventured to give a judgment, by virtue of which General Collot has been summoned to prove that he had the right, as governor, to do the act, which occasioned this procedure. This judgment indirectly determines the amenability of the French government.

The executive directory has thought it became its dignity not to suffer any longer this blow directed against the independence and sovereignty of the French Republic.

I am directed, Citizen Minister, to declare to you, that 'if the Federal government does not put a stop to this unjust procedure, which continues against the Citizen Collot, and does not refer his adversaries before their natural judges in France, the executive directory will take the measures necessary to make use of reprisals, and to obtain reparation of all the wrongs of the American government, and its agents, towards the French government.'

I request you to communicate this declaration to the President of the United States of America, and to invite him to weigh it.

Health and fraternity.

(Signed)

CH. DE LA CROIX.

From the Minister of Foreign Affairs, to the Minister Plenipotentiary of the United States of America.

Paris, 11th Vendemiaire, 5th Year of the Republic.

(October 2d, 1796.)

CITIZEN MINISTER,

I AM directed to inform you of the resolve of the executive directory, dated the 25th Fructidor last, relative to the unjust procedure which continues before the tribunals of the United States, against the Citizen Collot, governor of Guadeloupe. While I invite you to inform your government of the particulars of that resolve, I rely entirely on the official declaration that I made you on the 5th Complementary day of the 4th year.

Health and fraternity.

(Signed)

CH. DE LA CROIX.

From the Minister Plenipotentiary of the United States of America, to the Minister of Foreign Affairs.

Paris, Sept. 27th, 1796.

I HAVE received your favor the 20th instant (4th Complementary) communicating the arreté of the directoire executif, taken in consequence of a process sustained against Citizen Collot, late governor of Guadeloupe; for the seizure of one of our vessels, whilst he was governor of that island, upon the charge of introducing into it counterrevolutionary writings; and which arreté you request me to transmit without delay to our government.

I beg to assure you, that I shall immediately transmit to our government the arreté referred to; and will also make known

to you the answer I receive, as soon as I receive it. Upon this subject however I think proper to submit to you some observations, which you may probably deem worthy the attention of your government in the present stage.

It appears that the Citizen Collot is called on at the suit of an individual, to answer for an act which the latter deems a personal injury; and that the demand made upon him by the court, is to shew that he seized that vessel by virtue of his powers as governor: There is yet no final judgment against him, and the presumption is none will be; for the demand made on him to shew by what authority he acted, recognizes that of this government; and proves of course, if he shews such authority, that the judgment will be in his favor. It does not appear that he is required to shew special power to seize vessels from his government; and it is therefore probable it will be sufficient to shew that he was governor only. This is the state of the case before the court.

In the United States, any and every person may be called on in court to answer at the suit of an individual; and when the process is served and returned to court, there exists no authority in the executive power to remove it; nor can it be removed otherwise than by the court itself, and according to its own rules. This principle is general, and applies equally to the officers of our own government, and to those of other countries; for I knew a process served upon the governor of one of our States, after he had retired from office, for an act performed, whilst he was governor; and from which I think he was relieved by shewing that he was governor at that time. I mention this fact, as well to shew the universality of the principle, as to observe I think it probable, had Governor Collot attended in person or by counsel and shewn his commission to the court, the suit would have been dismissed in the commencement; and to add also, that I likewise think it probable its continuance for so long a term in court, proceeded from his not taking those measures in his defence, which the constitution and laws of our country require; and which every other person is bound to take; an omission, I presume, incurred, if such be the case, from his being unacquainted with the laws and customs of our country.

It seems to me to be a sound doctrine, that until there is an ultimate decision by the court, and against just principles, there can be no cause of complaint; especially when the nature of our government and its laws are considered; and to explain which I have thought proper to submit to you the above observations.

From the Minister of Foreign Affairs, to the Minister Plenipotentiary of the United States of America.

Paris, 13th Vendemiaire 5th Year of the Republic.

(October 4th, 1796.)

Is it true, Sir, that the Federal government has ordered an embargo on our vessels of war and merchantmen? Is it true that Mr. Skipwith, upon the receipt of this intelligence, testified a joy as misplaced, and as surprizing as the news itself. Be so good, Sir, as to inform me on these two points. If, as I flatter myself, both are without foundation, you will hasten, I doubt not, to deny the first, and Mr. Skipwith will make it a duty to refute the second, in writing.

I beg you to accept, in the meantime, the assurance of my entire consideration.

(Signed)

CH. DE LA CROIX.

From the Minister Plenipotentiary of the United States, to the Minister of Foreign Affairs.

Paris, October 5th, 1796.

I HAVE just received your note of yesterday, communicating a report which is circulated, that our government has put an embargo on your vessels of war and of commerce; and demanding of me whether it be true. I have received this communication with great surprize, because I have not only no official information to that effect, but never heard of the report before; of course, I entirely disbelieve it; and the more so, because I trust you have given no cause for such a procedure; and likewise, because I am satisfied, that without serious and weighty cause, the President of the United States would not adopt it.

In regard to what you have heard respecting Mr. Skipwith, I am equally satisfied from my personal knowledge of his political principles, and of the interest he takes in the welfare of both republics, and which cannot be promoted otherwise than by a continuance of friendship and harmony between them,—that if the report were true, it would prove to him a cause not of pleasure, but of the most serious regret; since it would evince the prospect of an approaching

rupture between them; and which could not otherwise than give pain to the friends of liberty and humanity every where. He is at present on a visit at some distance from Paris, so that I cannot now communicate to him the purport of your note respecting himself; but will do it immediately on his return.

From the Minister of Foreign Affairs, to the Minister Plenipotentiary of the United States of America.

Paris, 16th Vendémiaire, 5th Year of the Republic.

(October 7th, 1796.)

CITIZEN MINISTER,

THE executive directory, informed that Mr. Parish, American consul at Hamburgh, took the liberty of giving passports, under the appellation of Anglo-Americans to Englishmen, which he represented as citizens of the United States, and that the consul was the avowed agent of England, for the transportation and equipment of the emigrants, thought it its duty to demand formally, of the Federal government, his recall. The answer of the secretary of state to the French minister is nothing less than an indirect justification of the conduct of Mr. Parish. The material fact of which that consul is accused is in it held as doubtful.

I am directed, Citizen, to notify to you, that the executive directory renews the demand of Mr. Parish's recall, and to declare to you, that no faith will be given in France to the passports and other acts from him, or with his signature. I request you to give information of this measure to the President of the United States.

Health and Fraternity.

Signed)

CH. DE LA CROIX.

From the Minister Plenipotentiary of the United States of America, to the Minister of Foreign Affairs.

Paris, October 12th, 1796.

I HAVE received your note of the 7th instant (16th Vendémiaire) upon the subject of Mr. Parish, our consul at

Hamburgh, requesting me to communicate its contents to our government; and with which I shall certainly comply by the first opportunity that occurs.

From Mr. Monroe, to Mr. King.

Paris, October 12th, 1796.

I HAVE been favored with yours of the 19th of September, and should have answered it sooner, had I not wished to obtain previously, an explicit answer from this government upon a demand I had made of it, whether orders were issued to seize the property of its enemy in our bottoms, which I daily expected to obtain, but did not until within a few days past. I am sorry now to inform you, that what I lately intimated in that respect, is too well founded; since I have been formally notified, that such orders are issued; and 'that it shall regulate its conduct towards the vessels of neutral and allied powers, in all respects, in the same manner as the English are permitted to do.' I give you, therefore, this information without delay, that you may avail yourself of it in such manner as you may judge most suitable for the benefit of such of our countrymen as are interested in it.

Your notification to Mr. Johnson, of the purport of my former letter upon this subject, and which he inserted in the English papers, was immediately transferred into those of this city; and, of course, attracted the attention of this government. But as I had correctly stated what was then stated to me, which was presented with equal accuracy by you, this incident gave me no concern; and I mention the republication here, only to apprise you, that that circumstance, the only one you might wish to avoid, has occurred, and without producing any inconvenience that I know of.

[No. XLIII.]

FROM MR. MONROE, TO THE SECRETARY OF STATE.

Paris, Oct. 21st, 1796.

I HAVE lately received from the minister of foreign affairs the note I intimated to you, some time since, I had rea-

son to conclude he was instructed to write me ; a copy of which, with one of my reply, I herewith inclose to you. I likewise send you copies of two other notes from him, and of my replies upon other subjects ; and which are only deserving of attention, as they serve to shew the actual disposition of this government towards us at the present moment.

Upon a critical view of the note first above mentioned, it was doubtful whether my functions were not likewise suspended with those of Mr. Adet ; and I was disposed in consequence to ask an explanation on that head ; but from this I was swerved by the following considerations : First, That if it were so intended, it would probably have been so expressed, and in explicit terms ; Secondly, as it was not so expressed, that such a demand might tend to irritate and thereby widen the breach ; and Thirdly, that the same end might be obtained by the submission of one of my passports to the minister for legalisation ; since it would tend to prove, in case he performed that office, that they were not suspended. Accordingly I took this latter course ; and found, so far as any inference was to be drawn from that circumstance, that it was not the intention of the directoire to suspend them.

This subject is now before the president, upon the representation of Mr. Adet ; and upon which, as I know nothing beyond what you now have, it is impossible for me to make any comment. He will of course dispose of it in such a manner as he thinks most conducive to the honor, the interest, and welfare of our country ; and in the interim, and until I hear from you, I shall endeavour, and without a compromise of any kind, to conciliate, so far as in my power, the good disposition of this government towards us.

I send you a Gazette, which contains any official account of the arrival of Moreau at Fribourgh, after making a safe and honourable retreat through a great extent of country ; and to which he was exposed by the defeat of Jourdan. He is now considered as out of danger. The army too under Beurnonville is said to be reorganized, and in considerable force ; so that it is possible notwithstanding the late season of the year, something further may be done, and especially if the Archduke, by advancing, courts a new rencounter.

Yesterday the English minister arrived but what the prospect of peace is, there is no datum whereon to hazard a conjecture.

From the Minister of External Relations, to the Minister Plenipotentiary of the United States of America.

Paris, 16 Vendemiaire, 5th Year of the Republic,

(Oct. 7th, 1796.)

CITIZEN MINISTER,

THE executive directory charges me to notify to you the suspension of all the functions which it has prescribed to the minister plenipotentiary of the French Republic near the United States. It charges me likewise to communicate to you the *arret* of which I have the honor to send you a copy, and agreeably to which our ships armed for war, will treat the United States, as these suffer the English to treat them.

The first step, Citizen Minister, does not need to be commented on. My dispatches of the 19th Ventose, and 19th Messidor last, and more especially the events which for some time past have followed each other in the United States, sufficiently explain its motives. Citizen Adet will enter with the Federal government upon farther explanations, which I dare hope will fully justify to it the measure of the executive directory. It is painful for the French government, to see itself forced to acts which bespeak a coldness between two nations, whom so many circumstances engage to unite themselves more and more closely. But, Citizen Minister, you know too well from what side the first blow was given to that friendship, which our two nations had sworn to. It is very consoling for the executive directory on reviewing its conduct, and that of the government which preceded it, to find, that the French Republic is blameless in this respect. At present its dignity would evidently be brought into question, if it would neglect its duty, if it did not give unequivocal proofs of a just dissatisfaction.

The ordinary relations subsisting between the two people in virtue of the conventions and treaties shall not on this account be suspended. The consuls will remain charged to superintend them. The eventual modifications which shall be produced in that state of things by the *arret* of the directory, I communicate to you, can in no manner be considered as alterations made by us. These would generally be commanded by the circumstances, and by the violation of the most

general laws of neutrality, which the English take the liberty to commit, if they were not, as they are, the fulfillment of the treaty between the two republics, and the necessary consequence of the treaty since concluded between the United States and England. The federal government is too enlightened, not to have foreseen all the results of that treaty, and no doubt, too just to desire, that its whole weight should fall on the French Republic.

It shall not be the fault of the executive directory, Citizen Minister, if the political relations between the two nations are not speedily reestablished on the footing they ought to be, and if the clouds, which cast a gloom on our alliance, be not dispelled, by frank and loyal explanations; to which it will be anxious to listen above all, Citizen Minister, when they shall be made through you.

Health and fraternity.

(Signed)

CH. DE LA CROIX.

*From the Minister Plenipotentiary of the United States, to the
Minister of Foreign Affairs.*

Paris, Oct. 12th, 1796.

I HAVE just been favored with yours of the 7th inst. (16th Vendemiaire) announcing that the directoire executif had suspended Mr. Adet's functions, as minister plenipotentiary to the United States; and had likewise given orders that the armed ships of the republic should treat our vessels in the same manner, as the English treat them; and that both measures were taken in consequence of certain acts of our government, which have occurred in the course of the present war; and particularly our late treaty with Great Britain.

I have received this communication with real concern, because I had presumed that the explanation I had given in my replies to your several complaints, stated in the two notes to which you refer, was satisfactory; and because I cannot otherwise than lament that any incident should occur, and especially during my service here, which betrayed a diminution on either side of that harmony and friendship which ought always to subsist between our governments. I flatter myself

however that this discontent will prove transitory ; and that I shall soon have the pleasure to witness the complete restoration of that sincere and cordial amity, which has heretofore so happily subsisted between the two republics.

I forbear to add any thing at present upon the subject of your complaints ; because in the state in which that business now is, it could not otherwise than be unprofitable ; and because it would illly accord with the respect I owe to my own government, before whom that subject now is, for me to address you further on it, at the present moment. I shall await therefore with patience, as it is my duty to do, the orders of the president in this respect ; to whom it belongs to direct the course it may be deemed suitable for me to take in the present conjuncture.

Be assured, Sir, that as there is no political object which I have more sincerely at heart than a continuance of perfect harmony between our two republics ; so no political incidents can occur to give me so much pleasure as those, in which I become the organ of such communications as have a tendency to promote it.

I cannot close my reply, Citizen Minister, without making to yourself and the directoire executif my sincere acknowledgment for the attention with which you have heard my several communications, formal and informal, on this subject ; and in which I have endeavoured, with the best views towards the interest and welfare of both countries, to divert you from any measure of this kind ; and I beg to assure you that the liberal sentiments you have been pleased to express in my favor, will always prove a source of the most grateful remembrance.

DEPARTMENT OF STATE.

August 22d, 1796.

SIR,

ON the 19th of July I received your letter of the 2d of last May covering the paper bearing date the 9th of March, and signed by M. De La Croix the French minister for foreign affairs, exhibiting the complaints of his government against the government of the United States, and your answer to those complaints ; and on the 21st of July, the latter, together with a translation of the minister's statement, were transmitted to the President at Mount Vernon.

Antecedent to the receipt of this letter, the president had conceived it necessary to send a new minister to represent the United States at Paris, and had made a tender of the appointment to General Charles Cotesworth Pinckney of South Carolina, and a letter of the 10th instant from the president which I received the 13th, covered Mr. Pinckney's letter of the 27th of July, declaring his acceptance of the office. He may be expected in Philadelphia by the close of the present month; and he will embark for Europe as soon after as shall be practicable.—My letter of the 13th of June (of which a duplicate and triplicate have been forwarded) will have manifested to you the uneasiness and dissatisfaction of the president; and the cause of both will be apparent in the letter itself.

The president feeling forcibly the obligations of his office, to maintain the honor and interests of the United States, in relation to foreign nations; and our connections with France in particular demanding, from various causes, the most constant and pointed attentions, to prevent or remove jealousies and complaints, it was impossible to conceal—it was a duty to express, his sensations consequent on the receipt of your letters of February 16th and 20th, and March 10th and 25th; a further consideration of these communications with other concurring circumstances determined the President to make the appointment I have herein announced. Mr. Pinckney will be the bearer of your letters of recall. To enable him to accomplish the objects of his mission, he will require all the Official documents in your possession, including your correspondence with the French Government as well as with your own; and according to the usual and necessary course of diplomatic agencies you will be pleased to transfer them to him.

I am, &c.

TIMOTHY PICKERING.

DEPARTMENT OF STATE.

September 9th, 1796,

SIR,

GENERAL PINCKNEY will be the bearer of this letter, He is to succeed you as the minister plenipotentiary of the United States with the French Republic.

E c e

I inclose a triplicate of my letter to you of the 22d ultimo, in which the motives to his appointment are suggested. I also inclose your letter of recall, addressed to the directory of the French Republic, and a copy thereof for your information of the manner in which the president wishes you to take leave of that body.

The claims of the American merchants on the French Republic are of great extent, and they are waiting the issue of them through the public agents with much impatience. Mr. Pinckney is particularly charged to look into this business, in which the serious interests, and in some cases nearly the whole fortunes of our citizens are involved. You will have the goodness to communicate to Mr. Pinckney such general information as may facilitate his inquiries concerning it, and hasten a successful conclusion.

I am, &c.

TIMOTHY PICKERING.

From the Minister of Foreign Affairs, to Citizen Monroe

Minister Plenipotentiary of the United States of America.

Paris, 12th Frimaire, 5th Year of the Republic.

(Dec. 2d, 1796.)

CITIZEN MINISTER,

As the arrival of Mr. Pinckney at Paris seems to be near at hand, if it has not already taken place, I thought it incumbent on me to inform you of the formalities which you will have to observe on that occasion. It is customary, that the recalled minister and his successor transmit to the minister of external relations the copy of their credentials and letters of recall. Presuming that your letters of recall have already been received by you, I invite you to communicate them to me as soon as possible.

Health and Fraternity.

(Signed)

CH. DE LA CROIX

From the Minister Plenipotentiary of the United States of America, to the Minister of Foreign Affairs.

Paris, Dec. 3d, 1796.

I HAVE been honored with your favor of yesterday, prescribing the mode to be pursued upon the arrival of Mr. Pinckney, who succeeds me in the office of minister plenipotentiary with the French republic, by forwarding to you his letters of credence with mine of recall, and which I will most willingly comply with as soon as he arrives. He may be daily expected; perhaps he is already arrived, of which I will inform you as soon as advised of it. I have not yet received my letter of recall or would now send you a copy of it: I expect it by Mr. Pinckney; being so advised by our Secretary of State, who then announced to me only the fact that I was recalled. Accept the assurance, &c.

From the Minister Plenipotentiary of the United States of America, to the Minister of Foreign Affairs.

Paris, Dec. 6th, 1796.

I HAVE the honor to inform you that my successor (Mr. Pinckney) is arrived and is desirous of waiting on you for the purpose of presenting a copy of his letter of credence for the directoire executif of the French republic. By him I have also received my letter of recall. Permit me therefore to request you will be so obliging as to appoint a time when Mr. Pinckney and myself shall have the honor to attend you for the purpose of presenting you copies of these documents.

From the Minister of Foreign Affairs to the Minister Plenipotentiary of the United States of America.

Paris, 19th, Frimaire, 5th Year of the Republic.

(Dec. 9th, 1796.)

CITIZEN MINISTER,

I HAVE received the letter you did me the honor to write to me, in which you demand an interview for the Ci-

tizen Pinckney, appointed your successor, in order to deliver me a copy of his credentials and of your letter of recall. I shall be glad to receive you this very day from one o'clock in the afternoon to four, if you can find it convenient. I request you to propose it to Citizen Pinckney.

Health and Fraternity.

(Signed)

CH. DE LA CROIX.

From the Minister of Foreign Affairs, to the Minister Plenipotentiary of the United States of America.

Paris, 21th Frimaire, 5th Year of the Republic:

(Dec. 11th, 1796.)

CITIZEN MINISTER,

I HASTENED to lay before the executive directory the copy of your letter of recall and of the credentials of Mr. Pinckney, whom the president of the United States has appointed to succeed you as minister plenipotentiary of the said States near the French Republic. The directory has charged me to notify to you, "that it will no longer recognize, nor receive, a minister plenipotentiary from the United States, until after a reparation of the grievances demanded of the American government, and which the French Republic has a right to expect."

I beg you, Citizen Minister, to be persuaded, that this determination, which is become necessary, does not oppose the continuance of the affection between the French Republic and the American people, which is grounded on former good offices and reciprocal interest; an affection which you have taken pleasure in cultivating by all the means in your power.

Accept, Citizen Minister, the assurance of my perfect consideration.

(Signed)

CH. DE LA CROIX.

From James Monroe, Citizen of the United States, to the Minister of Foreign Affairs.

As my functions, as minister plenipotentiary with the French Republic have ceased by the letter of recall which I

had the honor to present to you sometime since, and as it is my wish, in obedience to the order of my government, to take my leave of the directoire executif without delay, permit me, citizen minister, again to request that you will be so obliging as present this subject before that body, and obtain from it as early an appointment for that purpose, as may suit its convenience.

Accept the assurance &c.

From the Minister of Foreign Affairs, to Mr. Monroe.

Paris, 7th Nivose, 5th Year of the Republic.

(Dec. 27th, 1796.)

I HAVE the honor of informing you, Citizen, that the directory will give next Decadi (Dec. 30) a private audience, for the delivery of your letters of recall. I invite you to come between eleven and half past eleven o'clock, to the house of external relations. We will proceed together to the directory, to whom I shall have the honor to present you.

Accept, Citizen, the expression of the high consideration and of the sincere attachment, which are due to your civic virtues.

(Signed)

CH. DE LA CROIX.

Address of Mr. Monroe to the Directory on presenting his letter of recall.

I HAVE the honor to present you with my letter of recall from the president of the United States of America which closes my political functions with the French Republic; and I have likewise the honor to add, that I am instructed by the president to avail myself of this occasion to renew to you, on his part, an assurance of the solicitude which the United States feel for the happiness of the French republic.

In performing this act, many other considerations crowd themselves upon my mind. I was a witness to a revolution in my own country: I was deeply penetrated with its principles, which are the same with those of your revolution: I saw too its difficulties; and remembering these, and the important services rendered us by France upon that occasion, I have partaken with you in all the perilous and trying situations in which you have been placed.

It was my fortune to arrive among you in a moment of complicated danger from within and from without ; and it is with the most heartfelt satisfaction, that in taking my leave, I behold victory and the dawn of prosperity upon the point of realizing, under the auspices of a wise and excellent constitution, all the great objects for which, in council and the field, you have so long and so nobly contended. The information which I shall carry to America of this state of your affairs will be received, by my countrymen, with the same joy and solicitude for its continuance, that I now feel and declare for myself.

There is no object which I have always had more uniformly and sincerely at heart, than the continuance of a close union and perfect harmony between our two nations. I accepted my mission with a view to use my utmost efforts to encrease and promote this object, and I now derive consolation in a review of my conduct, from the knowledge that I have never deviated from it. Permit me therefore, in withdrawing, to express an earnest wish that this harmony may be perpetual.

I beg leave to make to you, Citizen Directors, my particular acknowledgments for the confidence and attention with which you have honored my mission during its continuance, and at the same time to assure you, that as I shall always take a deep and sincere interest in whatever concerns the prosperity and welfare of the French Republic, so I shall never cease in my retirement to pay you, in return for the attention you have shewn me, the only acceptable recompense to generous minds, the tribute of a grateful remembrance.

Answer of the President of the Directory.

Mr. Minister Plenipotentiary of the United States of America.

By presenting this day to the executive directory your letters of recall, you offer a very strange spectacle to Europe.

France, rich in her freedom, surrounded by the train of her victories, and strong in the esteem of her allies, will not stoop to calculate the consequences of the condescension of the American government to the wishes of its ancient tyrants.—The French Republic expects however, that the successors of Columbus, Raleigh and Penn, always proud of their liberty, will never forget that they owe it to France. They will weigh in their wisdom the magnanimous friendship of the French peo-

ple, with the crafty careffes of perfidious men, who meditate to bring them again under their former yoke. Affure the good people of America, Mr. Minister, that, like them, we adore liberty; that they will always possess our esteem, and find in the French people that republican generosity which knows how to grant peace, as well as to cause its sovereignty to be respected.

As for you, Mr. Minister Plenipotentiary, you have combated for principles; you have known the true interests of your country,—depart with our regret: We restore, in you, a representative to America; and we preserve the remembrance of the Citizen, whose personal qualities did honor to that title.

*To James Monroe, Minister Plenipotentiary of the United States
of America to the French Republic.*

Paris, November 8th, 1796.

SIR,

IT having been known, that you had received letters of recall as minister plenipotentiary to this Republic, from the government of the United States, a general meeting of American citizens was holden in this city yesterday, who, desirous to testify their sense of your services in that capacity, subscribed an address, and appointed us a committee to present the same.

In compliance with the above commission, we have to request you to assign a time when it will be convenient for you to receive the communication entrusted to our charge.

In behalf of the subscribers to the aforesaid address, we are with respect, Sir, your obedient humble servants,

WILLIAM TUDOR, JESSE PUTNAM,
JOHN BUFFINGTON, JOHN M. FORBES.
DANIEL PARKER,

Mr. Monroe's reply.

Paris, November 9th, 1796.

GENTLEMEN,

I WAS this moment favoured with yours of yesterday, informing me that you were appointed by my country-

men now in Paris, to present me an address, expressive of their approbation of my public conduct, since I have had the honour to represent our common country as minister plenipotentiary with the French Republic, and requesting me to appoint a time when it would suit me, to receive it.

Permit me to assure you, gentlemen, that this communication has given me the highest satisfaction; because under existing circumstances nothing can be more grateful to me, than the approbation of such of my countrymen as have been in France, have witnessed the difficult situation of our affairs, and have known my conduct; and I beg of you to inform them, that the desire they have shewn upon this occasion, to honour me with theirs, has made, as it ought to make, a very deep impression on my mind. Assure them it is one of those interesting incidents attending my mission, which will never be erased from my memory.

Flattering, however, as is this proof of their confidence and esteem, upon the present occasion; yet there are some considerations of peculiar weight, which forbid my receiving it at the present time. These are suggested by a regard for the public interest, grow out of the particular situation of our affairs, and will of course be duly appreciated by you. It is impossible for me to be more explicit at present, in unfolding to you the nature of those considerations to which I refer; but I well know that the mere intimation that such exist, will furnish to you and my countrymen in general, an adequate motive why I now decline receiving from them a paper, which I highly prize, and should otherwise be happy to receive.

JAMES MONROE.

*To William Tudor, John Buffington,
Daniel Parker, Jesse Putnam,
John M. Forbes, Esquires.*

To James Monroe.

Paris, January 12th, 1797.

SIR,

BEING informed that you are now on the point of leaving France, we have the pleasure to present you the address entrusted to our care by the American gentlemen in Paris, and are, with great respect, &c.

JESSE PUTNAM,
DANIEL PARKER.

To James Monroe, Minister Plenipotentiary of the United States
of America.

Paris, Dec. 6th, 1796.

SIR,

As citizens of the United States of America it is with deep regret we find, that your diplomatic mission to the republic, is soon to terminate by the arrival of a successor.

If there is a moment which marks, above all others, the unquestionable sincerity of an address, it is that when presented to a man who is going out of office.

In this situation of things it is, that your fellow citizens, now at Paris, come to assure you of that honest and lively concern which they feel on this occasion. Being on the spot—they have known, and it is with pleasure they testify to your faithful and unabated application to the duties of your arduous office and your unceasing vigilance for the honor and interest of our common country.

These, Sir, are our sentiments of your official deportment in affairs of a public nature; but when we recollect the readiness and zeal with which you have so uniformly and ably advocated the individual interests of your fellow citizens, in all the critical situations to which the various circumstances of this country have so often reduced them, we can only lament the incompetency of language to do justice to the force of the impression, and the extent of our obligations.

To this we can only add our most ardent wishes that you may receive that approbation from our country, which, as far as our observation goes, we conceive to be justly due to your fidelity and eminent services.

We are, with the warmest sentiments of respect and esteem, your affectionate fellow citizens.

SAMUEL BROOME, Senr.	JOHN HOUGHTON
WILLIAM TUDOR	R. BENNET FORBES
JESSE PUTNAM	JOHN G. HESLOP
JOHN BUFFINGTON	JOS. SANDS
WILLIAM LOWRY	THOS. LANG
NATHANIEL CUTTING	LOUIS MARSHALL
DANIEL PARKER	JOS. RUSSEL
FULWAR SKIPWITH	JAMES V. MURRAY
JOHN M. FORBES	S. P. BROOME

M. LEVENWORTH	SAMUEL ANDREWS
J. VOUCHEZ	JOHN FABRE
G. HOWELL	JONA. NESBITT
Z. COOPMAN	A. WALDRYHN
SAMUEL FULTON	J. S. EUSTACE
WILLIAM LEE	EPHRAIM WALES
ROBERT J. LIVINGSTON	EDW. BRUMFIELD
OLIVER L. PHELPS	F. ROTCH
ROBERT LYLE	THOS. W. GRIFFITH
JOS. WHITTMORE	J. HIGGINSON
OLIVER CHAMPLAIN	HENRY WORTHINGTON
D. THOMPSON	JOHN HOOMES
JOHN FLEMING	JOHN PARKER
STEPHEN BLYTH	F. HOLLINGSWORTH
SAMUEL NORWOOD	HENRY FULFORD
JAS. HEMPHILL	HENRY JOHNSON
BENJ. CALLENDAR	THOS. PAINE
JOHN GRISTE	G. W. MURRAY
THOS. WILLARD	WM. VANS, junr.
THOS. DARNFORTH	THOS. RAMSDEN.
JOHN BRYANT	J. C. MOUNTFLORENCE
JOHN MITCHELL	JAMES ANDERSON
STEPHEN FRENCH	NOEL FAMING
JOHN WHEELER	JOHN GREGORIE
Z. WALKER	OTIS AMMIDON
EBEN. MAY	M. GELSTON.

A P P E N D I X.

*From the Minister Plenipotentiary of the United States of America, to Mr. Short.**

Paris, May 30th, 1795.

I WAS favoured, about ten days past, with yours of the 4th instant, and should have answered it immediately, had I not previously done so by anticipation, in some measure, in one of the same date through the armies, or had I not waited for the arrival of Mr. Pinckney, who was then on his way from Dunkirk for this place. By him this will be forwarded; indeed, by him alone would I hazard what I deem it necessary to communicate to you. Previously therefore, permit me to assure you, that this government will admit of no intermediate or third parties in its negotiations, but will only treat with its enemies themselves, or directly. The only power whose good offices they ever thought of accepting was the United States; but the negotiation of Mr. Jay with England has, by its manner, and particularly by withholding with such care the result, inspired such distrust in our friendship for them, that they are disposed not even to accept of ours. This is a fact of importance, which I did not chuse to hazard through the route of the armies; since if it was known to the Spanish government it might lessen our weight in our negotiation with that court; for I always knew that an opinion of a good understanding between us and this government would greatly forward our own depending negotiations elsewhere. You must therefore (or rather Mr. P.) must press the object of your negotiation to a close as soon as possible, counting with certainty, that although, in general, we stand well here, yet we are to have no agency in the affairs of France,

* Answer to Mr. Short's letter of the 4th May, (see page 181) which upon reflection it is thought proper to insert.

and of course are to derive, from that consideration, no aid to the advancement of our own.

It is proper to inform you, that just before the report of Mr. Jay's treaty reached us, this government, whose attachment to us was daily increasing, had it in contemplation to extend, by all the means in its power, its fortunes to us, in our depending negotiations elsewhere; and that even since that report, upon the presumption every thing is right, they have instructed (as I am told) their minister, negotiating with Spain, to secure in their treaty the points insisted on by us.

This instruction was given just before the report of Mr. Pinckney's appointment was known, and I am inclined to think, that although it was not in Mr. Pinckney's power (not being able to explain Mr. Jay's treaty to them, without which it would have been indelicate) to ask their aid, that the instructions still continue in force. In any event Spain will have all possible proof, and from this government itself, that they wish us well, and rejoice in our prosperity, and therefore, although they keep their own affairs to themselves, yet the Spanish court will find, that a good understanding with France is not to be expected or preserved without a good understanding with us.

I have heard that Mr. Jay has stipulated something in his treaty respecting the Mississippi; whereby, upon the ridiculous pretence of a guarantee to us, an extension of territory is substantially given to Britain, and she in consequence admitted to the Mississippi. The fact of a guarantee by Britain to us must excite the indignation of Spain towards her, though ready to yield the point to us: But the extension of her territory so as to comprehend the source of that river, and thereby entitle her to its navigation, will produce a more serious and alarming effect. I think it will tend greatly to separate Spain from England, and to force the former into a more intimate connection with France and the United States; the first steps towards which, is an accommodation to their present demands.

Another circumstance which will facilitate this object is, that England, through Sir F. Eden, has absolutely and very lately attempted, upon the pretext of an exchange of prisoners, to open a negociation for peace with this Republic. I suspect Spain knows nothing of this, but I am assured, by authority in which I confide, that it is the truth. He was received at Dieppe, and detained whilst his terms were sent to

the committee, and an answer received peremptorily rejecting them. If true, I presume the fact will be made known to Spain; so that the latter power ought to reject all delicacy towards the former in its transactions with it.

I have one other observation to make, which shews the necessity of dispatch, if possible, in our negotiation with Spain. Suppose her peace made with this Republic; she is of course, relieved from the pressure which disposes her to accommodate us. Shall we not afterwards stand of course nearly upon the same ground that we stood in that negotiation, from the epoch of the one which was conducted by Mr. Jay with Mr. Gardoqui, which had well nigh ended (though managed by the former with great skill, and according to the rules of ancient diplomacy) in the occlusion of the river and dismemberment of the continent; which negotiation has certainly deluded the Spanish government, from that time to the present day, into an opinion, that half America wish it shut: At least to me (who was in the Congress during the pendency of that negotiation, and who have since seen your correspondence) such appeared to be the case.

The above are hints upon the real state of things here, upon which Mr. Pinckney and yourself will take your measures. If I could satisfy this government that Mr. Jay's treaty contained nothing with which they have a right to complain, every thing would be easy here; we might forward the views of the two countries in which we reside, which in respect to this, I ardently wish to forward, making previously those of our own secure. But can any motive of interest, on the part of France, induce her to accept such offers from us, until she shall receive such satisfaction? Where the interest of our country can be advanced, or there is a possibility it may, I am willing to attempt any thing in concert with you, and shall, therefore, be always happy to hear from you in these respects.

I inclose you a letter from a friend of yours in this country, being assured it contains nothing of a treasonable nature: No intelligence of the march of armies or preparations against Spain, which it is the interest of this government to keep secret.

*From the Minister Plenipotentiary of the United States of America, to the Committee of Public Safety.**

Paris July 28th, 1795.

I HAVE received your favour of the 5th instant, relative to the complaints of some corsairs of the Republic, from Charleston, in which you request me to give the necessary explication upon that subject, and so far as those complaints are well founded to promote the just demands of the said complainants. Permit me to assure you, that I shall be happy to fulfil your desire in both respects, being always ready to give the most frank and prompt explanation, according to the information I possess, and in every particular of the conduct of our government towards our ally, and equally so to promote justice on our part, where injury has in reality been sustained by any of the citizens of this Republic. As soon, therefore, as the committee will be pleased to furnish me with an accurate detail or specification of these complaints, I promise to pay the attention to them, which has been desired of me.

From the Secretary of State of the United States, to Mr. Monroe.

Philadelphia, July 30th, 1797.

SIR,

SINCE I closed my letter of yesterday, I have been informed by Mr. Swan, that Mr. Adet's dispatches will not go off until this evening; and that he purposed to notify me of the opportunity being open a few hours longer. I hasten therefore, to add what I can in this short interval; expecting to have another conveyance next week.

I mean to send to you the accusations which have been laid before the President, against Mr. Fenwick, our Consul at Bourdeaux. He is charged, upon strong presumptive grounds, of having covered French property under an American name,

* See page 222, the note of the Committee of Public Safety, to which this was in reply. This paper was omitted in its place by accident.

by virtue of his office. The proof, though *ex parte*, impre-
 powerfully in the case of the ship Pomona; on board of which
 he is supposed to have shipped five boxes of silver, belonging
 to French individuals, or the French government, as verdi-
 grise or paints, under his consular seal; and also in the case
 of a Captain Alain, from whom he, or some person for his
 use, is understood to have received two and a half per cen-
 tum at least, for a similar service. This affair is not, and
 will not be, prejudged. But the President thinks it proper,
 that Mr. Fenwick should *cease* from his consular functions
 until further order, and until an enquiry can be made. I
 request you to communicate a copy of this paragraph of my
 letter to him, and Mr. Skipwith our Consul General: To in-
 form Mr. Fenwick, that it is adviseable, that he should ex-
 pedite to me any proofs or declarations in opposition to these
 charges; to assure him that nothing less than a necessity aris-
 ing from a due respect to our national character could have
 induced even this provisional step; and to recommend to Mr.
 Skipwith to fill up, by a proper agency, this temporary
 chasm. To shew, however, that we would avoid every wound
 to Mr. Fenwick's feelings, it is anxiously desired, that no
 improper eclat be made in this business; and if you, after an
 accurate and extensive examination of the matter, can un-
 dertake absolutely to discredit the imputations, the suspen-
 sion may be withheld, until some statement shall come from
 him.

I shall probably send you, by the next vessel, the final de-
 termination on the treaty. I suspect that it will not be very
 wide of what I wrote to you on the 14th instant.

I have &c.

EDM. RANDOLPH.

Note. The above letter being of a personal nature, it was first
 thought best not to publish it: But upon reflection, as it respected
 the conduct of a public officer, that opinion was changed. It is
 due, however, to Mr. Fenwick to observe, that in consequence
 of the explanation which he gave of his conduct in the above
 respect, he was never suspended.

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